MAINE STATE LEGISLATURE

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LAWS

OF THE

STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND FOURTEENTH LEGISLATURE

FIRST REGULAR SESSION

December 7, 1988 to July 1, 1989

Chapters 1 - 502

THE GENERAL EFFECTIVE DATE FOR
NON-EMERGENCY LAWS IS
SEPTEMBER 30, 1989

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1989

PUBLIC LAWS

OF THE

STATE OF MAINE

AS PASSED AT THE

FIRST REGULAR SESSION

of the

ONE HUNDRED AND FOURTEENTH LEGISLATURE

1989

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

Sec. 1. 38 MRSA §551, first ¶, as amended by PL 1985, c. 496, Pt. A, §13, is further amended to read:

The Maine Coastal and Inland Surface Oil Clean-up Fund is established to be used by the department as a nonlapsing, revolving fund for carrying out the purposes of this subchapter. The fund shall be limited to ~~$4,500,000~~ $6,000,000, the sum of which shall include all funds credited under this section and any funds loaned to the Ground Water Oil Clean-up Fund established pursuant to subchapter II-B. The Department of Environmental Protection shall collect fees in accordance with subsection 4. To this fund shall be credited all license fees, penalties, reimbursements and other fees and charges related to this subchapter, and to this fund shall be charged any and all expenses of the department related to this subchapter, including administrative expenses, costs of removal of discharges of pollutants, restoration of water supplies and 3rd party damages covered by this subchapter.

Sec. 2. 38 MRSA §551, sub-§4, ¶A, as amended by PL 1985, c. 496, Pt. A, §13, is further amended to read:

A. License fees shall be determined on the basis of ~~1 1/2¢~~ 3¢ per barrel of unrefined crude oil~~, 1¢ per barrel of gasoline~~ and ~~1/2¢ per barrel of~~ all other refined oil, petroleum products and their by-products, including #6 fuel oil, #2 fuel oil, kerosene, gasoline, jet fuel and diesel fuel, transferred by the licensee during the licensing period and shall be paid monthly by the licensee on the basis of records certified to the department. License fees shall be paid to the department and upon receipt by it credited to the Maine Coastal and Inland Surface Oil Clean-up Fund.

Sec. 3. 38 MRSA §551, sub-§4, ¶D, as enacted by PL 1987, c. 750, §3, is further amended to read:

D. Any person who is required to register with the department pursuant to section 545-B and who first transports oil in Maine shall pay fees, which shall be determined on the basis of ~~one cent per barrel of gasoline and 1/2¢~~ 3¢ per barrel ~~of~~ for all ~~other~~ refined oil, including #6 fuel oil, #2 fuel oil, kerosene, gasoline, jet fuel, diesel fuel and liquid asphalt transported by the registrant during the period of registration. Fees shall be paid monthly by the registrant on the basis of records certified to the department. Fees shall be paid to the department and upon receipt by it credited to the Maine Coastal and Inland Surface Oil Clean-up Fund. The registrant shall make available to the department and its authorized representatives all documents relating to the oil transported by the registrant during the period of registration. This paragraph shall not apply to waste oil which is transported into Maine in any motor vehicle which has a valid license issued by the department for the transportation of waste oil pursuant to section 1319-O and which is subject to fees established under section 1319-I.

Sec. 4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1989-90	1990-91
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Maine Coastal and Inland Surface Oil Clean-up Fund		
Unallocated	$1,125,000	$1,500,000
Provides funds for abatement of oil pollution and to compensate persons damaged by oil spills.		

See title page for effective date.

CHAPTER 501

H.P. 475 - L.D. 640

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1990, and June 30, 1991

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

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

Whereas, certain obligations and expenses will become due and payable on or immediately after July 1, 1989; and

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

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

PART A

Sec. 1. Supplemental appropriations from the General Fund. There is appropriated from the General Fund to the departments listed the following sums:

	1989-90	1990-91
ADMINISTRATION, DEPARTMENT OF		
Public Improvements - Planning - Construction - Administration		
Positions	(3)	(3)
Personal Services	$93,082	$94,040
Provides funds for an Accountant I, Chief Accountant and an Account Clerk II to be transferred to the bureau from the Division of Administrative Services.		
Public Improvements - Division of Safety and Environmental Services		
Positions	(7)	(7)
Personal Services	$220,470	$230,534
All Other	32,425	32,000
Capital Expenditures	5,200	5,200
TOTAL	$258,095	$267,734
Provides funds for continuation of positions funded in the last biennium for asbestos abatement for state facilities and schools; to provide other environmental services; and for reorganization of Project Manager from range 26 to range 28 and Environmental Technician III from range 20 to range 23. Positions to be funded: Clerk Typist III range 12, Planning and Research Associate II range 23, Project Manager range 26, 28 proposed, 2 Engineering Technician IV positions range 23, Engineering Technician III range 20, 23 proposed; and Assistant Engineer range 22.		
Office of the Commissioner - Administration		
Positions	(7)	(7)
Personal Services	$256,591	$260,123
All Other	54,425	56,185
Capital Expenditures	5,600	
TOTAL	$316,616	$316,308
Provides funds and position authorization for the transfer from the Division of Administrative Services and consolidation of staff support functions within the commissioner's office. Establishes: Clerk IV, Clerk Typist III, Account Clerk II, Accountant I, Personnel Officer, Director of Finance and Director of Administrative Services.		
Public Improvements - Planning - Construction - Administration		
All Other	($150,000)	
Deappropriates funds originally set aside for repairs to the State House steps.		
Administrative Services - Administration		
Positions	(-14)	(-14)
Personal Services	($437,355)	($443,849)
All Other	(26,190)	(26,980)
TOTAL	($463,545)	($470,829)
Deappropriates funds from the Division of Administrative Services to reflect proposed transfers and staff reductions. Deletes: Clerk IV, Clerk Typist III, 2 Account Clerk II positions, Accountant I, Personnel Manager, Director of Finance, Director of Administrative Services, Accountant I, Chief Accountant, Account Clerk II, Accountant III, Accountant II and Clerk II.		
DEPARTMENT OF ADMINISTRATION TOTAL	$54,248	$207,253
MAINE COMMITTEE ON AGING		
Maine Committee on Aging		
All Other		$5,000
Provides funds for partial support of operating the Blaine House Conference on Aging; a statewide forum for older persons which is required by law to be held every 2 years.		
MAINE COMMITTEE ON AGING TOTAL		$5,000
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Marketing Services - Agriculture		
Personal Services	$20,995	$20,995
Provides funds for continuing a limited period Clerk I position in order to provide suitable and productive work for an employee on workers' compensation.		
Agricultural Production		
All Other	$35,000	$22,000
Provides funds for start-up money to implement and operate a fee program to test for Salmonella enteritidis in poultry flocks and to provide a grant to the University of Maine System for a microbiology technician to test for Salmonella enteritidis. Fees shall be set at a level sufficient to fund the tests in poultry flocks and the grant to the University of Maine for a technician.		
Agricultural Production		
All Other	$500	$500
Capital Expenditures	5,000	
TOTAL	$5,500	$500
Provides funds for the purchase of an autoclave for Serology Laboratory.		

Administration - Agriculture

Positions	(1)	(1)
Personal Services	$24,737	$25,006
All Other	1,000	1,000
TOTAL	$25,737	$26,006

Provides funds for the transfer of a Clerk Stenographer III position from the Bureau of Public Services to the office of the commissioner.

Public Services - Agriculture

Positions	(-1)	(-1)
Personal Services	($24,737)	($25,006)
All Other	(1,000)	(1,000)
TOTAL	($25,737)	($26,006)

Provides funds for the transfer of a Clerk Stenographer III position to the office of the commissioner.

Public Services - Agriculture

Positions	(1)	(1)
Personal Services	$25,150	$25,150
All Other	500	500
TOTAL	$25,650	$25,650

Provides funds for the transfer of a Clerk Typist III position from the Bureau of Agricultural Marketing.

Marketing Services - Agriculture

Positions	(-1)	(-1)
Personal Services	($25,150)	($25,150)
All Other	(500)	(500)
TOTAL	($25,650)	($25,650)

Provides funds for the transfer of a Clerk Typist III to the Bureau of Public Services.

Agricultural Production

Positions	(1)	(1)
Personal Services	$33,250	$33,250

Provides funds for a Laboratory Technician III presently employed in the State and Federal Diagnostic Laboratory. Funding to replace a reduction in federal funds.

Administration - Agriculture

Positions	(-1)	(-1)
Personal Services	($42,895)	($45,100)

Deappropriates funds related to the Director of Planning and Information.

Administration - Agriculture

Positions	(-.5)	(-.5)
Personal Services	($11,004)	($11,428)

Deappropriates funds related to a half-time Planning and Research Assistant.

Soil and Water Conservation Commission

All Other	$40,000	$40,000

Provides funds for increases in support of the soil and water conservation districts.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL $80,846 $60,217

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

Positions	(2)	(2)
Personal Services	$10,938	$87,504
All Other	2,000	5,000
TOTAL	$12,938	$92,504

Provides funds for 2 Assistant Attorney General positions for Drug Task Force. Federal funding to expire due to an anticipated loss in federal funding.

Administration - Attorney General

Positions	(2)	(2)
Personal Services	$97,735	$102,621
All Other	2,000	2,000
TOTAL	$99,735	$104,621

Provides funds for 2 Assistant Attorney General positions to provide legal services for the Department of Educational and Cultural Services. Federal funding to be discontinued due to an anticipated loss in federal funding.

Administration - Attorney General

Positions	(1)	(1)
Personal Services	$36,400	$38,220

Provides funds for an Assistant Attorney General to be assigned to the Department of Mental Health and Mental Retardation.

District Attorney Salaries

Personal Services	$430,000	$470,000

Provides funds for compensation adjustments for District and Assistant District Attorneys.

Administration - Attorney General

All Other	$150,000	
Capital Expenditures	100,000	
TOTAL	$250,000	

Provides funds for the renovation and expansion of office space.

Administration - Attorney General

All Other	$50,000	

Provides funds to contract for Actuarial Services.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	$879,073	$705,345

AUDIT, DEPARTMENT OF

Audit - Departmental Bureau

All Other	$60,000	$130,000

Provides funds for lease costs associated with the move into the Key Plaza Building. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

DEPARTMENT OF AUDIT TOTAL	$60,000	$130,000

CONSERVATION, DEPARTMENT OF

Forest Planning, Evaluation and Research

Positions	(-1)	(-1)
Personal Services	($48,404)	($48,615)
All Other	(3,000)	(3,000)
TOTAL	($51,404)	($51,615)

Provides funds for the transfer of a Systems Analyst from this account to Administrative Services - Conservation.

Administrative Services - Conservation

Positions	(1)	(1)
Personal Services	$48,404	$48,615
All Other	3,000	3,000
TOTAL	$51,404	$51,615

Provides funds for a Systems Analyst at the department level. Transfer of a Systems Analyst from Forest Planning, Evaluation and Research.

Division of Forest Fire Control

Positions	(12.5)	(12.5)
Personal Services	($12,132)	($6,391)

Provides funds for the net effect of converting 10 seasonal Forest Ranger II positions to permanent full time, and one part-time Clerk Typist II position to permanent full time; the addition of one Forest Ranger II, one Radio Mechanic and 12 seasonal Laborer I positions; the deletion of 10 seasonal Forest Ranger II positions, one seasonal Forest Ranger I position and one seasonal Radio Mechanic position.

Administrative Services - Conservation

Positions	(1)	(1)
Personal Services	$8,733	$17,816
All Other	500	2,000
Capital Expenditures	250	
TOTAL	$9,483	$19,816

Provides 50% share for a Policy Development Specialist to coordinate and enhance private and public outdoor recreation opportunities, to work on property assessment and acquisition of public land, easements and other protection techniques.

Parks - General Operations

Personal Services		$48,732
All Other		7,000
Capital Expenditures		4,000
TOTAL		$59,732

Provides funds for the addition of seasonal positions as follows: 3 Lifeguards; 2 Park Receptionists; one Park Manager I; one Park Ranger; and one Assistant Park Ranger. It is expected that General Fund revenues of approximately $100,000 annually will be realized by adjustments in Park User Fees.

Parks - General Operations

Personal Services	$9,681	$10,080

Provides funds for the increase from 24 to 40 hours and the upgrade, from Planning and Research Assistant to Planning and Research Associate I, of a position within the Division of Planning and Research.

Geographic-Based Information Services

Personal Services	$4,974	$5,556

Provides funds to establish the Executive Director at range 30, as approved by the Bureau of Human Resources. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

Land Use Regulation Commission

Positions	(3.5)	(3.5)
Personal Services	$115,926	$129,007
All Other	129,200	141,343
Capital Expenditures	54,097	30,000
TOTAL	$299,223	$300,350

Provides funds for a Senior Planner, a Planning and Research Associate II, a Cartographer, a half-time Department Information Systems Manager, part-time clerical support, computer needs and contractual services.

Forest Management, Utilization and Marketing

Positions	(16)	(19)
Personal Services	$306,038	$577,805
All Other	126,565	173,575
Capital Expenditures	127,031	
TOTAL	$559,634	$751,380

Provides funds for the implementation of 4 different segments of the proposed program. These segments are: Forest Policy and Rulemaking, Forest Management Information and Re-

porting, Forest Enforcement Coordination and Training, and a Field Forester Program. Provides funding for 9 months in fiscal year 1989-90.

Maine Geological Survey

Positions	(1)	(1)
Personal Services	$21,482	$31,236
All Other	72,625	18,500
Capital Expenditures	750	
TOTAL	$94,857	$49,736

Provides funds for a Geologist position to serve as state coordinator for the National Water-Use Information Program; $60,000 in fiscal year 1989-90 to contract for a watershed boundary mapping project; $25,000 in each year for matching funds with the United States Geological Survey; and anticipated general operating expenses.

Parks - General Operations

All Other	$70,000

Provides $20,000 for an archeological dig at Fort Halifax and $50,000 for the replication of the 1754 facilities. These funds shall carry forward to June 30, 1991.

Maine Geological Survey

Positions	(1)	(1)
Personal Services	$26,835	$37,270
All Other	22,500	30,000
Capital Expenditures	12,915	
TOTAL	$62,250	$67,270

Provides funds for a Marine Geologist position, technical assistance, information, education, coastal geological and hazard mapping, nearshore mapping, and resource assessment.

DEPARTMENT OF CONSERVATION TOTAL	$1,097,970	$1,257,529

CORRECTIONS, DEPARTMENT OF

State Prison

Personal Services	$1,830	$1,933

Provides funds for reclassification, from Clerk Typist III to Administrative Secretary, due to reorganization.

State Prison

Positions	(27)	(28)
Personal Services	$147,069	$700,557
All Other	44,123	34,928
Capital Expenditures	88,707	
TOTAL	$279,899	$735,485

Provides funds to staff and operate new housing units and programs as follows: 12 Guards; 3 Guard Sergeants; one Industrial Shop Supervisor; one Vocational Trades Instructor; one Electrician II; 3 Correctional Trades Instructors; one Supervisor Recreation; one Correctional Caseworker; one Accountant I; one Clerk Typist II; one Correctional Maintenance Mechanic; one Assistant Prison Retail Store Manager; and an additional Trades Instructor in 1991. Request reflects funding for 3 months of fiscal year 1989-90.

State Prison

Positions	(3)	(3)
Personal Services	$63,952	$91,155
All Other	50,598	50,412
TOTAL	$114,550	$141,567

Provides funds for 3 Nurse II positions and contracted dental services.

Youth Center - Maine

Positions	(2)	(5)
Personal Services	$40,800	$118,647
All Other	2,605	1,493
Capital Expenditures	1,116	
TOTAL	$44,521	$120,140

Provides funds for Unit Director and one Correctional Caseworker in 1990 and 3 additional Caseworkers in 1991. Request reflects funding of 3 Correctional Caseworkers for 9 months of fiscal year 1990-91.

Youth Center - Maine

Positions	(1)
Personal Services	$35,766
All Other	2,017
Capital Expenditures	558
TOTAL	$38,341

Provides funds for a Psychologist II position and related support costs.

Youth Center - Maine

Positions	(1)	(1)
Personal Services	$27,338	$39,500
All Other	20,800	20,800
TOTAL	$48,138	$60,300

Provides funds for a Psychologist III and contracted psychiatric services for hold-for-court juveniles.

Bangor Pre-Release Center

All Other	$34,000	$34,000

Provides funds for contracted medical services.

Correctional Center

Positions	(33)	(33)
Personal Services	$239,000	$796,986
All Other	28,891	12,681
Capital Expenditures	68,700	21,500
TOTAL	$336,591	$831,167

Provides funds to staff and operate new housing units and programs as follows: 17 Correctional Officer I positions; 2 Correctional Officer II positions; one Correctional Caseworker; 5 Correctional Trades Instructors; 2 Accountant I positions; one Maintenance Mechanic Foreman; 3 Clerk Typist II positions; one Teacher; and one Boiler Operator. Request reflects funding of positions for 4 months in fiscal year 1989-90.

Correctional Center

Positions	(5)	(5)
Personal Services	$112,097	$160,388
All Other	38,205	38,205
TOTAL	$150,302	$198,593

Provides funds for 4 Nurse II positions and one Physician's Assistant.

Food - Charleston Correctional Facility

All Other	$31,000	$54,736

Provides funds for food costs for expansion.

Charleston Correctional Facility

Positions	(29)	(29)
Personal Services	$211,764	$713,486
All Other	165,850	165,850
Capital Expenditures	85,582	
TOTAL	$463,196	$879,336

Provides funds to staff and operate new housing units and programs as follows: 13 Correctional Officer I positions; 2 Vocational Trades Instructors; 3 Correctional Trades Instructors; one Correctional Officer III; one Classification Officer; one Personnel Specialist; one Administrative Secretary; one Recreation Supervisor; 2 Clerk Typist III positions; one Accountant I; one Correctional Cook II; one Teacher Supervisor; and one Plumber II. Request reflects funding of positions for 4 months in fiscal year 1989-90.

Central Maine Pre-Release Center

Personal Services	$674	$685

Provides funds for reclassification, due to reorganization, from Cook II to Correctional Cook.

Central Maine Pre-Release Center

Positions	(0.5)	(0.5)
Personal Services	$11,241	$11,809

Provides funds for a 20 hours-per-week Correctional Cook.

Downeast Correctional Facility

Positions	(1)	(1)
Personal Services	$22,097	$30,621

Provides funds for one Nurse II for required nursing services.

Downeast Correctional Facility

Positions	(3)	(5)
Personal Services	$34,701	$119,021

Provides funds for Correctional Officer I positions to operate new segregation unit.

Probation and Parole

Positions	(2)	(3)
Personal Services	$45,893	$82,415
All Other	7,812	7,550
Capital Expenditures	3,665	
TOTAL	$57,370	$89,965

Provides funds for 2 Probation Officers in fiscal year 1989-90 and a Probation Officer in fiscal year 1990-91 for juveniles to reduce juvenile case loads, increase family counseling and provide aftercare liaison between the Youth Center and the community. Request reflects funding of the Probation Officer for 9 months in fiscal year 1990-91.

Administration - Corrections

Positions	(2)	(4)
Personal Services	$45,861	$94,953
All Other	28,917	119,560
Capital Expenditures	73,257	3,482
TOTAL	$148,035	$217,995

Provides funds to add program and support staff, training funds and operating funds to the central office. Positions include a Jail Inspector and a Staff Development Coordinator for fiscal year 1989-90 and adds a Secretary and an Information Systems Manager in fiscal year 1990-91.

Correctional Services

All Other	$54,000	$54,000

Provides funds for mental health services and special needs services for probation offenders and other community corrections needs.

Fuel - Corrections

All Other	$22,600	$22,600

Provides funds for fuel to heat new housing units at Maine Correctional Center, $12,600; and Maine State Prison, $10,000.

Food - State Prison

All Other	$20,000	$52,000

Provides funds for food related to new housing units.

Probation and Parole

Positions	(4)	(6)
Personal Services	$82,721	$183,064
All Other	16,128	23,612

Capital Expenditures	8,235	5,575
TOTAL	$107,084	$212,251

Provides funds for 3 Probation and Parole Officers; a Clerk Typist II in 1990; and 2 additional Probation and Parole Officers in 1991.

State Prison

All Other	$26,513

Provides funds for the payment of a workers' compensation claim.

State Prison

All Other	$175,000	$325,000

Provides funds in order to authorize the department to enter into an agreement with the Warren Sanitary District and the Camden and Rockland Water Company for the construction of a sewer and water system and the payment of user fees for the Warren State Prison.

Probation and Parole

All Other	$30,000

Provides funds for leased space in Portland.

Downeast Correctional Facility

Positions	(2)
Personal Services	$46,268

Provides funds for 2 Correctional Officer I positions in fiscal year 1989-90. Positions currently included in requests for fiscal year 1990-91.

Maine Correctional Center

Positions	(6)	(6)
Personal Services	$108,226	$145,506

Provides funds for 6 Correctional Officer I positions to enable the center to open an additional housing area to deal with the overcrowded conditions.

DEPARTMENT OF CORRECTIONS TOTAL	$2,367,836	$4,377,051

DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF

Military Training and Operations

All Other	$40,000	$40,000

Provides funds for workers' compensation claims.

Dam Safety Program

Positions	(1.5)	(1.5)
Personal Services	$40,000	$43,000
All Other	11,000	13,000
Capital Expenditures	4,000	4,000
TOTAL	$55,000	$60,000

Provides funds for a Hydro Engineer and a part-time Word Processor Operator in order to implement the Dam Safety Program.

Veterans' Services

All Other	$20,250	$21,000

Provides funds for workers' compensation obligations.

Veterans' Memorial Cemetery

Capital Expenditures	$100,000

Provides funds for Maine Veterans' Memorial Cemetery - state share eligible for federal matching funds for cemetery expansion.

Veterans' Services

Personal Services	$1,055	$1,031

Provides funds for maintaining a reclassified Clerk Stenographer I position, upgraded to a Clerk Stenographer II in fiscal year 1989. Funding for upgrade was not included in current services requests.

Veterans' Memorial Cemetery

Personal Services	$3,050	$3,050

Provides funds for reclassification of Cemetery Superintendent position from range 19 to range 21. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

Militnry Training and Operations

All Other	$27,951	$27,951

Provides funds for payment of general liability premium for period of November 1, 1989, to November 1, 1991. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL	$247,306	$153,032

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Comprehensive Land Use Planning

All Other	$380,000	$300,000

Provides funds to supplement available resources in order to be able to offer comprehensive planning and assistance to every municipality.

Comprehensive Land Use Planning

All Other	$100,000

Provides funds to develop and administer a matching grants program of direct financial and technical assistance to municipalities for the implementation and administration of local growth management programs.

Administration - Economic and Community Development

All Other	($85,245)	($85,245)

Provides for the transfer of funds for the State of Maine Office in Washington, D.C. to the Executive Department.

Office of Community Development

Positions	(-3.5)	(-3.5)
Personal Services	($128,664)	($129,828)

Provides for the deappropriation of funding related to the transfer of 3.5 positions to comprehensive land use planning.

Comprehensive Land Use Planning

Positions	(3.5)	(3.5)
Personal Services	$128,664	$129,828

Provides for the appropriation of funding related to the transfer of 3.5 positions from the Office of Community Development.

Office of Community Development

All Other	($200,000)	($200,000)

Provides for the deappropriation of funding to carry out requirements under comprehensive land use planning.

Comprehensive Land Use Planning

All Other	$200,000	$200,000

Provides for the appropriation of funding to carry out requirements under comprehensive land use planning.

Office of Community Development

Positions	(2.5)	(2.5)
Personal Services	$87,000	$91,500
All Other	75,000	75,000
Capital Expenditures	6,000	1,000
TOTAL	$168,000	$167,500

Provides funds for a Senior Planner, a Policy Development Specialist and a part-time Clerk Typist III in order to implement affordable housing initiatives through the creation of the Affordable Housing Alliance of Maine Housing Initiatives.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL $462,755 $482,255

EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF

Handicapped Children Services - Preschool

All Other	$600,000	$600,000

Provides funds for increased state support for the equitable, statewide operations at the 16 0-5 coordination sites.

Higher Education Services

All Other	$600,000	$3,582,675

Provides funds to increase the number of awards in fiscal year 1989-90 and to increase award amounts and to fund all eligible applicants in fiscal year 1990-91.

Adult Education

Positions	(2)	(2)
Personal Services	$71,304	$71,770
All Other	44,450	53,650
TOTAL	$115,754	$125,420

Provides funds for a General Education Development Administrator - Educational Specialist III and a Clerk Typist III.

Curriculum - Education

All Other	$75,000	$150,000

Provides funds for creating 3 model demonstration sites for preschool children, ages 4 to 5, in public schools which will serve at-risk children and their families.

Adult Education

Positions	(1)	(1)
Personal Services	$39,057	$41,257
All Other	5,513	6,000
TOTAL	$44,570	$47,257

Provides funds for an Education Specialist II position to continue developing outreach and program initiatives under Project Literacy.

Governor Baxter School for the Deaf

Positions	(15)	(17)
Personal Services	$305,233	$469,374
All Other	165,778	187,355
Capital Expenditures	327,600	900
TOTAL	$798,611	$657,629

Provides funds to address the needs identified in the consultant report. The Diversified Program - Language Delay component shall be developed at the Governor Baxter School for the Deaf so as to accommodate students by September 1989.

Administrative Services - Education

Positions	(3)	(3)
Personal Services	$94,818	$96,445
All Other	8,500	9,000
TOTAL	$103,318	$105,445

Provides funds for the transfer of an Accountant II, a Word Processing Operator, an Education Specialist II and 25% of the salary of a Legal

Secretary, from Chapter 2 funding to the General Fund.

Library Development Services

All Other	$31,250	$31,250

Provides funds for an increase in the statewide per capita aid for towns with established public libraries.

State Restoration Grants Program

All Other	$31,250	$31,250

Provides funds for the establishment of a matching State Restoration Grants Program.

Research and Collection - Museum

All Other	$31,250	$31,250

Provides funds for the Maine State Museum's component of the Community Cultural Services Initiative.

Arts - Sponsored Programs

All Other	$31,250	$31,250

Provides funds for the arts component of the Community Cultural Services Initiative.

Administration

All Other	$60,000	$60,000

Provides funds for grants to 3 school units for the purpose of establishing demonstration projects for early intervention for children at risk.

Teachers' Retirement

All Other	$271,347	$367,912

Provides funds to increase the payment by the State for retired teachers' health insurance from 15% to 20%.

Museum - Research and Collections

Positions	(1)	(1)
Personal Services	$14,335	$31,388
All Other	(14,335)	(15,000)
TOTAL	$-0-	$16,388

Provides for a transfer of funds to establish a Museum Specialist II position effective January 1, 1990.

Museum - Design and Preparation

All Other		($16,388)

Deappropriates funds no longer required.

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	$2,793,600	$5,821,338

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Water Quality Control

All Other	$67,000	
Capital Expenditures	3,000	
TOTAL	$70,000	

Provides funds for the continued development of the Marine Environmental Monitoring Program.

Administration - Environmental Protection

All Other	$10,500	

Provides funds for the payment of a workers' compensation claim.

Administration - Environmental Protection

Positions	(1)	(1)
Personal Services	$19,921	$41,701
All Other	7,945	9,032
TOTAL	$27,866	$50,733

Provides funds for a Regional Office Manager in Bangor who will organize and coordinate, oversee and implement program and administrative direction from the central office in Augusta.

Air Quality Control

Positions	(1)	(1)
Personal Services	$20,730	$29,928
All Other	8,189	9,778
TOTAL	$28,919	$39,706

Provides funds for an Environmental Specialist III position for the Bureau of Air Quality as recommended by the Peat Marwick Main Study.

Land Quality Control

All Other	$20,000	

Provides funds for a demonstration project concerning regulation negotiation.

Administration - Environmental Protection

All Other	$25,000	$25,000
Capital Expenditures	7,500	
TOTAL	$32,500	$25,000

Provides funds for additional office space and improved communications between Augusta and the regional offices.

Administration - Environmental Protection

Positions	(1)	(1)
Personal Services	$18,018	$18,018
All Other	1,500	1,500
Capital Expenditures	3,000	
TOTAL	$22,518	$19,518

Provides funds for a Clerk Typist II for the Human Resources Unit.

Oil and Hazardous Material Control

Positions	(1)	(1)
Personal Services	$18,500	$37,000
All Other	2,000	2,500
TOTAL	$20,500	$39,500

Provides funds for a Division Director to manage a new Division of Uncontrolled Sites Management and Restoration.

Water Quality Control

All Other	$10,000

Provides funds for the Bureau of Water Quality Control to allow for independent expert review of an ongoing study of color, odor and foam wastewater discharges. These funds shall not be transferred for any other purpose.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	$242,803	$174,457

EXECUTIVE DEPARTMENT

Head Start

All Other	$178,647	$243,807

Provides funds for an increase of the state funding level for Head Start in order to match anticipated federal fund increases.

Public Advocate

Positions	(-1)	(-1)
Personal Services	($26,430)	($26,750)

Provides for the deappropriation of funding not required by the Public Advocate as they no longer share 2 positions with the Office of Energy Resources.

Office of Energy Resources

Positions	(1)	(1)
Personal Services	$26,430	$26,750

Provides funds for positions no longer shared with the Public Advocate.

Office of Volunteer Services

Personal Services	$1,500	$1,500
All Other	5,624	5,624
Capital Expenditures	2,643	
TOTAL	$9,767	$7,124

Provides funds for secretarial support for this office and related costs.

Office of Volunteer Services

Positions	(1)	(1)
Personal Services	$29,184	$31,265
All Other	1,076	1,076
TOTAL	$30,260	$32,341

Provides funds for transfer of the Chief of Volunteer Services position and related expenses from the Division of Community Services to the Office of Volunteer Services.

Administration - Community Services

Positions	(-1)	(-1)
Personal Services	($29,184)	($31,265)
All Other	(1,076)	(1,076)
TOTAL	($30,260)	($32,341)

Provides funds for the transfer of the Office of Volunteer Services from the Division of Community Services in order to create a separate program within the Executive Department.

Planning Office

Personal Services	$6,893	$7,465

Provides funds for the continued funding of the reclassification and range change of a Research Technician to a Planner II. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

Administration - Community Services

All Other	$50,000

Provides funds for the distribution of additional food for food banks and soup kitchens.

State Planning Office - Water Resources Management Board

Positions	(1)	(1)
Personal Services	$25,719	$37,770
All Other	23,800	28,100
Capital Expenditures	2,952	
TOTAL	$52,471	$65,870

Provides funds for a Policy Development Specialist to staff the Water Resources Management Board. This position is authorized until September 30, 1991. Also provides funds for the expenses of public board members and staff, 3 public hearings, advertising, printing costs and the purchase of a computer. These funds shall not lapse but shall carry forward until September 30, 1991.

Blaine House Renovations and Repairs Fund

All Other	$25,000	$25,000

Provides funds to be used in accordance with the Maine Revised Statutes, Title 5, section 1516.

Administration - Governor's Office

All Other	$15,000

Provides funds to increase the Governor's expense account.

Maine Science and Technology Commission

All Other	($100,000)	($100,000)

Deappropriates funds no longer needed.

Maine Science and Technology Commission

All Other	$15,000	$15,000

Provides additional funds to support access to the Research and Productivity Council of New Brunswick via the University of Maine at Presque Isle.

State Planning Office

Positions	(1)	(1)
Personal Services	$30,000	$45,000
All Other	13,500	15,500
Capital Expenditures	2,500	
TOTAL	$46,000	$60,500

Provides for a full-time senior planner, seasonal contracts for inventory work and expenses for staff and the steering committee for a study to design a system of ecological reserves.

Public Advocate

Positions	(-4)	(-4)
Personal Services	($114,068)	($191,468)
All Other	(73,089)	(61,135)
TOTAL	($187,157)	($252,603)

Provides for a deappropriation of funds in fiscal year 1989-90 and fiscal year 1990-91.

Head Start

All Other	$125,000	$125,000

Provides funds to finance expansion or improvement of existing programs in accordance with local needs. Allowable uses include, but are not limited to: increasing levels of service, improving transportation services, acquiring needed classroom equipment, increasing staff salaries and improving facilities. One third of the funding for program expansion and improvement will be allocated in equal amounts to existing programs. Two thirds will be allocated proportionately, based on each program's percentage of the combined total of state and federally funded Head Start slots in the State.

Administration - Executive - Governor's Office

All Other	$68,000	$68,000

Provides for the transfer of funds from the Department of Economic and Community Development for the State of Maine Office in Washington, D.C.

EXECUTIVE DEPARTMENT TOTAL	$289,621	$280,163

FINANCE, DEPARTMENT OF

Bureau of Taxation

All Other	$175,000	
Capital Expenditures	25,000	
TOTAL	$200,000	

Provides funds for the purchase of a receivable - collections system relating to Maine tax laws and the development of a unified accounts receivable system. Revenues: 1990, $2.0 million; 1991, $3.0 million.

Bureau of Taxation

Positions	(1)	(1)
Personal Services	$40,074	$44,207

Provides funds for establishing a new Tax Division Executive position to direct the Audit Division.

Salary Plan

Personal Services	$1,100,000	$1,100,000

Provides funds for nurses' stipend and other legislation such as changes to the Maine Revised Statutes, Title 2.

State Contingency Account - Finance

Personal Services	$4,216,000	$9,616,000

Provides funds for unbudgeted future obligations of State Government. Such funds shall only be allocated for expenditure after specific legislative approval and shall carry forward to June 30, 1991.

Bureau of Accounts and Control - Systems Project

Personal Services	$93,800	$98,500
All Other	3,706,200	1,401,500
TOTAL	$3,800,000	$1,500,000

Provides funds for the continuation of the financial and administrative systems project. Funds will be used to make payments under the contract, for training, computer resources and implementation. Funding for the development and implementation of the purchasing systems will be requested in the next biennium. The Legislative Council, or the Legislature, shall have full access, upon request, to all data stored within these financial and administrative systems except as prohibited by law. These systems shall not be used for political purposes, as defined in the Maine Revised Statutes, Title 5, section 1890-B, such as the preparation of political mailings. Violations of this prohibition shall constitute a Class C crime.

Bureau of Accounts and Control

Personal Services	$51,281	

Provides funds for 2 limited period Data Entry Specialist positions and one limited period Clerk II position in order to provide support during the transitional period for the implementation of MFASIS.

Bureau of Taxation

Personal Services	$360	$360

Provides funds for the approved reclassification of a Clerk II position to a Clerk Typist II position in accordance with the bureau's reorganization.

State Contingency Account - Finance

Personal Services	$1,105,815	$1,894,074

Provides funds for collective bargaining for state employees, vocational-technical institute employees, and reclassifications and range changes.

Low Income Tax Relief

All Other	($4,969,000)	

Deappropriates funds no longer needed for the program.

Elderly Householders Tax Refund

All Other	($425,000)	

Deappropriates funds no longer needed for the program.

Property Tax Relief Reserve

All Other	$23,394,000	

Provides funds to be used for property tax relief purposes. These funds shall carry forward to June 30, 1991.

Bureau of Taxation

Capital Expenditures	$5,000	

Provides funds for a personal computer and work station.

Bureau of Taxation

Veterans' Tax Reimbursement

All Other		$242,500

Provides funds to meet the constitutional requirement that the State reimburse towns for 50% of the cost of any changes in property tax exemption.

Taxation, Bureau of

Positions	(5.0)	(5.0)
Personal Services	$120,000	$245,000
All Other	20,000	35,000
Capital Expenditures	30,000	
TOTAL	$170,000	$280,000

Provides funds for 5 additional employees. General Fund revenue estimates are increased $1,000,000 in fiscal year 1989-90 and $2,500,000 in fiscal year 1990-91.

DEPARTMENT OF FINANCE TOTAL	$28,688,530	$14,677,141

GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON

Governmental Ethics and Election Practices - Commission on

Positions	(1)	(1)
Personal Services	$23,000	$24,150
All Other	2,000	2,100
TOTAL	$25,000	$26,250

Provides funds for an Administrative Secretary to assist Legislators and executive officials in meeting their obligations under the law, to ensure that financial disclosure forms are available to the public and to provide additional staff assistance to the Commission on Governmental Ethics and Election Practices.

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES TOTAL	$25,000	$26,250

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation

Capital Expenditures	$319	

Provides funds for one typewriter for Field Investigator who has difficulty writing due to a handicap.

Human Rights Commission - Regulation

Positions	(1)	(1)
Personal Services	$32,252	$33,799

Provides funds to move an existing federally funded position to the General Fund due to a reduction in federal funds received.

MAINE HUMAN RIGHTS COMMISSION TOTAL	$32,571	$33,799

HUMAN SERVICES, DEPARTMENT OF

Administration - Human Services

All Other	$376,200	

Provides funds for the Division of Data Processing computer system database conversion.

Alcoholism and Drug Abuse Prevention - Human Services

Positions	(8)	(8)
Personal Services	$248,931	$250,748

All Other	(322,862)	(326,497)
TOTAL	($73,931)	($75,749)

Provides funds for the transfer of 8 positions from Block Grant funds in order to comply with new federal regulations. Also, the transfer of "All Other" funds to "Personal Services" to accomplish this action.

Alcohol and Drug Planning

All Other	$60,000	$75,000
Capital Expenditures	5,505	7,361
TOTAL	$65,505	$82,361

Provides funds to continue the Management Information System for the Alcohol and Drug Planning Committee.

Congregate Housing

All Other	$247,500	$300,000

Provides funds for expanded congregate services for the elderly.

Bureau of Maine's Elderly

All Other	$2,500	

Provides funds for an independent congregate meals pilot program in Casco. The department shall evaluate this pilot program and report to the Joint Standing Committee on Appropriations and Financial Affairs by March 1, 1990.

Intermediate Care - Payments to Providers

All Other	$69,005	$69,005

Provides funds for repayment of government student loans for graduate nurses who are employed in long-term care facilities, hospitals, rural health clinics and home health agencies.

Purchased Social Services

All Other	$25,000	$25,000

Provides funds for the AZT Drug Reimbursement Program, which will provide financial assistance to persons with AIDS to meet their financial expenses.

Bureau of Health

All Other	$26,275	$26,770

Provides funds for educational materials and supplies for interdepartmental AIDS education and prevention efforts.

Medical Care Administration

All Other	$5,000	$5,000

Provides funds for Medicaid participation in the Robert Wood Johnson Demonstration for the Uninsured, specifically to measure the utilization experience of enrolled Medicaid recipients.

Medical Care - Payments to Providers

All Other	$33,387	$33,387

Provides funds for repayment of government student loans for graduate nurses who are employed in long-term care facilities, hospitals, rural health clinics and home health agencies.

Medical Care Administration

Positions	(3)	(3)
Personal Services	$82,394	$89,345
All Other	9,300	9,300
Capital Expenditures	2,484	
TOTAL	$94,178	$98,645

Provides funds for 3 Health Services Consultants in each of 3 district offices to comply with increased federal survey requirements.

Bureau of Maine's Elderly

Positions	(6.5)	(6.5)
Personal Services	$169,735	$184,217
All Other	27,291	23,118
Capital Expenditures	5,021	
TOTAL	$202,047	$207,335

Provides funds for 5 Caseworkers and one full-time and one part-time Clerk Typist positions in order to strengthen the capability to identify and protect incapacitated adults in danger and to protect incapacitated adults through public guardianship or conservatorship.

Bureau of Health

All Other	$200,000	$100,000

Provides funds for DPT vaccine to preschool, non-Medicaid children of families under 185% poverty, through well child clinics.

Bureau of Health

All Other	$50,000	$50,000

Provides funds for clinic services contracts.

Emergency Medical Services

All Other	$170,000	$200,000

Provides funds for shortfall of Federal Block Grant Funds to meet salary increases and other increased basic costs of operation.

Legal Services - Human Services

Positions	(-2)	(-2)
Personal Services	($68,392)	($68,683)
All Other	(26,819)	(28,543)
TOTAL	($95,211)	($97,226)

Provides funds for the transfer of a Director, Fraud Investigation, and a Clerk Typist III to Administration - Income Maintenance.

Administration - Income Maintenance

Positions	(2)	(2)
Personal Services	$68,392	$68,683
All Other	26,819	28,543
TOTAL	$95,211	$97,226

Provides funds for the transfer of a Director, Fraud Investigation, and a Clerk Typist III from Legal Services - Human Services.

Administration - Regional - Human Services

Positions	(1)	(1)
Personal Services	$22,310	$22,403

Provides funds for the transfer of a Clerk Typist II position from Administration - Human Services.

Administration - Human Services

Positions	(-1)	(-1)
Personal Services	($22,310)	($22,403)

Provides funds for the transfer of a Clerk Typist II position to Administration - Regional, Human Services.

Crippled Children Services

Positions	(0.5)	(0.5)
Personal Services	$30,453	$33,553

Provides funds for the increase of a Public Health Physician from half time to full time.

Income Maintenance - Regional

Positions	(-2)	(-2)
Personal Services	($54,060)	($56,306)
All Other	(4,452)	(4,720)
TOTAL	($58,512)	($61,026)

Provides funds for the transfer of 2 Fraud Investigators to Administration - Income Maintenance.

Administration - Income Maintenance

Positions	(2)	(2)
Personal Services	$54,060	$56,306
All Other	4,452	4,720
TOTAL	$58,512	$61,026

Provides funds for the transfer of 2 Fraud Investigators from Income Maintenance - Regional.

Bureau of Maine's Elderly

Positions	(0.5)	(0.5)
Personal Services	$17,314	$18,163

Provides funds for additional support and the transfer of a half-time Planning and Research Associate II position from the Federal Fund to the General Fund in order to provide continued substance abuse services for elderly people.

Bureau of Rehabilitation

All Other	$25,000

Provides funds for a contingency fund in all 5 regions for the Independent Living Program.

Division of Driver Education Evaluation Programs

Personal Services	$773	$857

Provides funds for the reclassification of a Clerk Typist I position to a Clerk Typist II position due to a reorganization of duties.

Purchased Social Services

All Other	($86,000)	($111,000)

Provides funds for the transfer from Purchased Social Services to the Bureau of Maine's Elderly.

Bureau of Maine's Elderly

All Other	$86,000	$111,000

Provides funds for the transfer from Purchased Social Services to the Bureau of Maine's Elderly.

Administration - Social Services

Positions	(-7)	(-7)
Personal Services	($207,700)	($280,800)
All Other	(40,000)	(56,400)
Capital Expenditures	(399)	(637)
TOTAL	($248,099)	($337,837)

Provides funds for the transfer of a Director, Division of Adult Services, 2 Social Services Program Managers, a Special Services Program Specialist I, a Management Analyst I, an Assistant Attorney General and a Clerk Typist II from the Bureau of Social Services to the Bureau of Maine's Elderly.

Bureau of Maine's Elderly

Positions	(7)	(7)
Personal Services	$207,700	$280,800
All Other	40,000	56,400
Capital Expenditures	399	637
TOTAL	$248,099	$337,837

Provides funds for the transfer of a Director, Division of Adult Services, 2 Social Services Program

Managers, a Special Services Program Specialist I, a Management Analyst I, an Assistant Attorney General and a Clerk Typist II from the Bureau of Social Services to the Bureau of Maine's Elderly.

Social Services - Regional

Positions	(-69.5)	(-69.5)
Personal Services	($1,686,200)	($2,279,743)
All Other	(172,000)	(217,000)
Capital Expenditures	(4,092)	(4,502)
TOTAL	($1,862,292)	($2,501,245)

Provides for the transfer of 5 Social Service Managers, 9 Human Services Casework Supervisors, 48 Caseworkers, a Human Services Aide III, a Social Services Program Specialist II, a part-time Clerk Typist II and 5 full-time Clerk Typist II positions from Regional Social Services to the Bureau of Maine's Elderly.

Bureau of Maine's Elderly

Positions	(69.5)	(69.5)
Personal Services	$1,686,200	$2,279,743
All Other	172,000	217,000
Capital Expenditures	4,092	4,502
TOTAL	$1,862,292	$2,501,245

Provides for the transfer of 5 Social Service Managers, 9 Human Services Casework Supervisors, 48 Caseworkers, a Human Services Aide III, a Social Services Program Specialist II, a part-time Clerk Typist II and 5 full-time Clerk Typist II positions from Regional Social Services to the Bureau of Maine's Elderly.

Child Welfare Services

All Other	$190,000	$190,000

Provides funds to meet higher than expected costs of foster parent payments.

Child Welfare Services

All Other	$70,000	$70,000

Provides funds for respite care for foster parents of state wards.

Social Services - Regional

Positions	(6)	(6)
Personal Services	$109,500	$118,150
All Other	17,400	15,600
Capital Expenditures	61,600	32,500
TOTAL	$188,500	$166,250

Provides funds for 6 Clerk Typist II positions for casework functions.

Aid to Families With Dependent Children - Foster Care

All Other	$82,500	$82,500

Provides funds for State's share of increased board payment rates for family foster homes and reimbursement to foster parents for services provided for foster children.

Child Welfare Services

All Other	$247,500	$247,500

Provides funds for State's share of increased board payment rates for family foster homes and reimbursement to foster parents for services provided for foster children.

Aid to Families With Dependent Children - Foster Care

All Other	$22,500	$27,653

Provides funds for State's share of increased clothing allowance rates and annual school clothing purchases for foster children who qualify for the Aid to Families with Dependent Children - Foster Care program.

Child Welfare Services

All Other	$67,500	$109,000

Provides funds for increased clothing allowance rates and annual school clothing purchase for foster children.

Child Welfare Services

All Other	$42,000	$42,000

Provides a $30 per month allowance for any infant or child in foster care who requires diapers.

Aid to Families with Dependent Children - Foster Care

All Other	$14,000	$14,000

Provides a $30 per month allowance for any infant or child in foster care who requires diapers.

Administration - Social Services

Positions	(1)	(1)
Personal Services	$30,766	$33,706
All Other	9,600	4,500
Capital Expenditures	660	
TOTAL	$41,026	$38,206

Provides funds for a Human Services Casework Supervisor position in order to carry out the legislative intent of response to child abuse allegations in out-of-home facilities.

Child Welfare Services

All Other	$450,000	$450,000

Provides funds for placements for foster children.

Child Welfare Services

All Other		$226,250

Provides funds for additional board rate increase for foster parents.

Aid to Families With Dependent Children - Foster Care

All Other		$88,750

Provides funds for additional board rate increase and training for foster parents.

Social Services - Regional

Positions	(21)	(21)
Personal Services	$421,000	$616,227
All Other	85,600	122,773
Capital Expenditures	11,900	
TOTAL	$518,500	$739,000

Provides funds for 15 Caseworkers, 3 Casework Supervisors and 3 clerical positions in order to lower the caseload size in the child welfare program.

Child Welfare Services

All Other	$150,000	$150,000

Provides funds for community treatment services for juvenile sex offenders.

Aid to Families with Dependent Children - Foster Care

All Other	$168,000	$168,000

Provides funds for placements for foster children.

Administration - Social Services

Positions	(2)	(2)
Personal Services	$61,532	$67,401
All Other	9,600	9,000
Capital Expenditures	1,206	
TOTAL	$72,338	$76,401

Provides funds for staff support to establish a Child Protective Services Quality Assurance Review System.

Intermediate Care - Payments to Providers

All Other		($494,000)

Deappropriates funds per department's determination that certain beds will not come on line in 1991.

Eye Care - Division of

Positions	(1)	(1)
Personal Services	$22,500	$31,250
All Other	3,750	5,500
Capital Expenditures	500	
TOTAL	$26,750	$36,750

Provides funds for one mobility and orientation instructor-blind position and related expenses.

Eye Care - Division of

All Other	$37,000	$38,500

Provides funds to contract with Diocesan Human Relations Services for one additional itinerant teacher.

Eye Care - Division of

Capital Expenditures	$1,000	

Provides funds for 2 braillers.

Purchased Social Services

All Other	$519,158	$707,705

Provides funds for the continuation of purchased social services at the level of funding existing in state fiscal year 1988-89.

Departmentwide

All Other		$435,000

Provides funds for a 1% cost-of-living adjustment for all community provider agencies that contract with the department.

Medical Care - Payments to Providers

All Other	($1,169,000)	($1,820,000)

Deappropriates funds by reducing the rate of increase for hospital services and health care services under the Sixth Omnibus Budget Reconciliation Act.

Intermediate Care - Payments to Providers

All Other	($1,460,000)	

Deappropriates funds not required due to the recapture of depreciation from nursing home sales.

Aid to Families with Dependent Children

All Other	($900,000)	($410,000)

Deappropriates funds not required due to increased child support collections and federal incentive payments.

State Supplement to Federal Supplemental Income

All Other	($200,000)	($200,000)

Deappropriates funds not required due to lower than projected expenditures in each year of the biennium.

Free Drugs to Maine's Elderly

All Other	($300,000)	

Deappropriates surplus funds from fiscal year 1989 not needed for current program.

Aid to Families with Dependent Children

All Other	$478,920	$965,200

Provides funds to increase the Aid to Families with Dependent Children standard of need by 3%, effective January 1, 1990.

Medical Care - Payments to Providers

All Other	$43,400	$90,000

Provides funds for increased medical payments resulting from increasing the Aid to Families with Dependent Children standard of need.

Medical Care - Payments to Providers

All Other		$322,800

Provides funds for the state share of Medicaid payments for rehabilitating persons with traumatic head injuries.

Bureau of Rehabilitation

All Other		$132,400

Provides funds for supported employment services for persons with traumatic head injuries.

State Supplement to Federal Supplemental Security Income

All Other		$144,800

Provides funds for room and board costs of 12 new boarding care beds for persons with traumatic head injuries.

Bureau of Maine's Elderly

All Other	$150,000	$360,000

Provides funds to create a system of care in Aroostook County for victims of Alzheimer's disease and their families in 3 distinct phases. Implementation of Phase I will begin in fiscal year 1989-90 and will involve the development of a diagnostic and assessment clinic headed by a team of professionals as well as care providers. The funds reflected in fiscal year 1990-91 represent the continuation of Phase I objectives and implementation of Phase II - establishment of day care and nursing home services in several nursing homes or boarding homes, or both, throughout the county to serve between 4 and 15 persons at each location, as well as completion of an inpatient Alzheimer's needs assessment in preparation for the construction of an Alzheimer's Center.

Purchased Social Services

All Other	$75,000	$100,000

Provides funds for services to battered women and their children through the Maine Coalition for Family Crisis Services.

State Supplement to Federal Supplemental Security Income

All Other		$260,114

Provides funds for 16 reimbursement beds in a municipally owned boarding care facility in the Sanford area primarily for older residents.

Bureau of Maine's Elderly

All Other		$100,000

Provides funds for Senior Volunteer Programs.

Bureau of Health

All Other		$100,000

Provides funds for heart attack and stroke prevention programs in communities and regions throughout the State.

Purchased Social Services

All Other	$140,000	$140,000

Provides funds to be used for staffing and operating rape crisis centers and to maintain and expand ongoing outreach services, direct revenues and coordination of resources in rural areas. Includes $40,000 each year to establish an additional rape crisis center in York County.

Bureau of Maine's Elderly

All Other	$98,500	$98,500

Provides funds to Legal Services for the Elderly, Inc. to continue the work successfully carried out under a federal grant; to provide additional administrative, attorney and paralegal staffing; to assure an adequate salary structure; and to provide essential program support for the positions.

Bureau of Health

All Other	$84,000	

Provides funds to the Women, Infant and Children's Program for the administration of services.

Office of Emergency Medical Services

All Other	$56,000	$56,000
Capital Expenditures	10,000	10,000
TOTAL	$66,000	$66,000

Funds to implement a complete Emergency Medical Services' licensure testing program including payment of examiners and automation of written tests.

Office of Emergency Medical Services

All Other	$77,309	$74,332

Funds to augment operation of 6 regional offices to reduce dependence on hospitals and ambulance services.

Office of Emergency Medical Services

Positions	(1)	(1)
Personal Services	$32,815	$34,509
All Other	2,500	2,500
TOTAL	$35,315	$37,009

Funds for licensing coordinator to manage quality assurance services of Emergency Medical Services.

Office of Emergency Medical Services

All Other	$70,000	$70,000

Funds to assist 6 regional programs to hire quality assurance personnel.

Office of Emergency Medical Services

Positions	(1)	(1)
Personal Services	$30,126	$31,409
All Other	16,250	16,250
TOTAL	$46,376	$47,659

Funds for training agent to develop, conduct, and supervise courses on a statewide basis, support for those courses and training in underserved areas.

Office of Emergency Medical Services

All Other	$5,000	$5,000

Funds for annual revision and printing of Emergency Medical Services' protocols and for meetings of the volunteer members of the State Physician's Advisory Board.

Bureau of Health

All Other	$8,300	$8,750

Provides funds to expand community-based AIDS-related programs and services in southern Maine, including counseling and testing and an AIDS hotline, and to offset a reduction in federal funding.

Bureau of Health

All Other	$125,000	$125,000

Provides funds for grants to community-based AIDS organizations to supplement local resources for the purpose of maintaining a support network. Includes $35,000 in fiscal year 1990 and $38,500 in fiscal year 1991 for a statewide AIDS alliance, and may be used for staff and expenses. Under no circumstances shall these funds be used to support AIDS hospice services.

Purchased Social Services

All Other	$40,000	$40,000

Provides funds to expand client support services system for individuals infected with the human immune deficiency virus.

Community Family Planning

All Other	$75,000	$75,000

Provides funds to allow the Family Planning Association to continue to provide clinical services and for education and training programs.

Purchased Social Services

All Other	$250,000	$250,000

Provides additional funds for homemaker service providers with which the department contracts.

DEPARTMENT OF HUMAN SERVICES TOTAL	$2,313,598	$5,966,356

MAINE HOSPICE COUNCIL

Maine Hospice Council

All Other	$50,000	$50,000

Funds will be made available for an Executive Director and part-time Secretary to carry out the statewide work of the Maine Hospice Council. The Executive Director is responsible for coordinating all affairs of the council inlcuding training and education of volunteers, health care professionals and the general public. The director is also responsible for advocacy on behalf of community hospices throughout the State.

MAINE HOSPICE COUNCIL TOTAL	$50,000	$50,000

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Enforcement Operations - Inland Fisheries and Wildlife

Positions	(20)
Personal Services	$931,898
All Other	568,102

Provides funds for 20 Game Warden positions currently funded with dedicated revenue. Also cost of operation of vehicles is included. Funding is calculated on basis of 20 positions at Range 18, Step G with longevity.

Atlantic Sea Run Salmon Commission

All Other	$50,000

Provides the State's share for restocking the upper St. John River above Brand Falls with approximately 400,000 Atlantic Salmon Fry.		
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE		
TOTAL	$50,000	$1,500,000
JUDICIAL DEPARTMENT		
Courts - Supreme, Superior, District and Administrative		
Personal Services		$254,800
Provides funds for a salary increase of 4% effective December 3, 1990, plus related retirement costs for the justices and judges.		
Courts - Supreme, Superior, District and Administrative		
All Other	$1,100,000	$1,675,000
Provides funds for lease payments for new or expanded trial court facilities in Portland, Bath, Dover-Foxcroft, Machias and Presque Isle.		
Courts - Supreme, Superior, District and Administrative		
Personal Services		$60,000
Provides funds to increase the per diem compensation for active retired justices and judges beginning December 3, 1990.		
Courts - Supreme, Superior, District and Administrative		
Positions	(5)	(5)
Personal Services	$75,000	$100,000
Provides funds for 5 additional District Court clerks to meet increased caseload.		
Courts - Supreme, Superior, District and Administrative		
Positions	(1)	(1)
Personal Services	$90,000	$120,000
Provides funds for one District Court Judge to be assigned to the Bath-Brunswick area.		
Courts - Supreme, Superior, District and Administrative		
Positions	(1)	(1)
Personal Services	$43,000	$45,000
Provides funds for a Revenue and Collections Manager to replace use of collection agency. Revenues to General Fund; $250,000 in fiscal year 1989-90 and $250,000 in fiscal year 1990-91.		
Indigent Defense		
All Other	($1,200,000)	($1,200,000)
Deappropriates funds no longer required.		
Courts - Supreme, Superior, District and Administrative		
Positions	(4)	(4)
Personal Services	$33,158	$71,994
Capital Expenditures	20,000	
TOTAL	$53,158	$71,994
Provides funds for 4 assistant clerks effective March 1, 1990, at various court locations to meet increased judicial caseload which will result from adding 12 additional state troopers to the Commercial Vehicle Enforcement Division.		
JUDICIAL DEPARTMENT		
TOTAL	$161,158	$1,126,794
LABOR, DEPARTMENT OF		
Occupational Information Coordination		
Positions	(1)	(1)
Personal Services	$29,408	$31,785
All Other	(24,997)	(27,017)
TOTAL	$4,411	$4,768
Provides funds for an Education Specialist II, which will reduce the need for contracting out for consultant services.		
Job Training Partnership Program		
Personal Services	$13,000	$13,054
All Other	273,617	173,562
TOTAL	$286,617	$186,616
Provides funds for the administration, marketing, recruitment and skill training for the Health Occupations Training II, HOT II Program.		
DEPARTMENT OF LABOR		
TOTAL	$291,028	$191,384
LEGISLATURE		
Legislature		
Personal Services	$302,296	$324,143
All Other	260,000	260,000
TOTAL	$562,296	584,143
Provides funds for the lease purchase of computer equipment, increased health insurance and increased staff support. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.		
State Capitol Commission		
All Other	$150,000	
Provides funds for a transfer from the Bureau of Public Improvements in order to fund repairs to the State House roof.		

Legislature

Positions	(-19)	(-19)
Personal Services	($716,569)	($745,013)
All Other	(430,124)	(442,307)
Capital Expenditures	(5,000)	(5,000)
TOTAL	($1,151,693)	($1,192,320)

Provides for the transfer of positions to 3 accounts.

Law and Legislative Reference Library

Positions	(15)	(15)
Personal Services	$532,727	$558,687
All Other	411,579	422,777
Capital Expenditures	5,000	5,000
TOTAL	$949,306	$986,464

Provides funds for the transfer of positions to a new account.

Maine - Canadian Legislative Advisory Office

Positions	(2)	(2)
Personal Services	$65,940	$66,362
All Other	9,045	9,530
TOTAL	$74,985	$75,892

Provides funds for the transfer of positions to a new account.

State Capitol Commission

Positions	(2)	(2)
Personal Services	$117,902	$119,964
All Other	9,500	10,000
TOTAL	$127,402	$129,964

Provides funds for the transfer of positions to a new account.

Study Commissions - Funding

Personal Services	$2,000
All Other	3,000
TOTAL	$5,000

Provides funds for a 5-member subcommittee of the Joint Standing Committee on Appropriations and Financial Affairs to conduct a study of the manner by which new and expanded federal and dedicated fund budgets are presented to the Legislature and the manner by which financial orders are used during the legislative session. Also provides funds for a full committee meeting to review the subcommittee's report.

Commission to Implement the Computerization of Criminal History Record Information

Personal Services	$1,000
All Other	12,300
TOTAL	$13,300

Provides funding for additional meetings, an unanticipated shortfall and other expenses of the commission. These funds shall carry to June 30, 1991.

Special Commission to Study the Organization of the State's Cultural Agencies

Personal Services	$1,650
All Other	6,800
TOTAL	$8,450

Provides funds for the per diem travel and related expenses of the Special Commission to Study the Organization of the State's Cultural Agencies.

Commission to Evaluate the Adequacy of the Aid to Families with Dependent Children Need and Payment Standards

All Other	$3,000

Provides funds for the commission's expenses.

Legislature

Personal Services	$135,835
All Other	246,250
TOTAL	$382,085

Provides funds to increase Legislators' salaries, Indian Representatives' per diem, meals and housing allowances, and constituent service allowances.

LEGISLATURE TOTAL	$742,046	$966,228

MAINE MARITIME ACADEMY

Maritime Academy - Operations

All Other	$1,184,000	$1,184,000

Provides funds for salary and benefit adjustments.

MAINE MARITIME ACADEMY TOTAL	$1,184,000	$1,184,000

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Development

Positions	(2)	(2)
Personal Services	$57,623	$57,623

Provides funds for a Fish Extension Agent II and a Word Processing Operator currently funded by Sea Grant federal funds.

Bureau of Marine Sciences

Personal Services	$18,171	$18,171
All Other	2,500	2,400
TOTAL	$20,671	$20,571

Provides funds for a Marine Resource Specialist I position.

Bureau of Marine Patrol

Positions	(6)	(6)
Personal Services	$142,920	$177,960
All Other	60,000	40,128

Capital Expenditures	91,800	
TOTAL	$294,720	$218,088

Provides funds for 6 Marine Patrol Officers in order to increase the abilities of the Bureau of Marine Patrol.

Bureau of Marine Sciences

All Other	$30,000	

Provides funds for the continued development of the Maine Environmental Monitoring Program.

DEPARTMENT OF MARINE RESOURCES TOTAL	$403,014	$296,282

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Pineland Center

Positions	(15)	(15)
Personal Services	$372,000	$390,600
All Other	100,000	125,000
TOTAL	$472,000	$515,600

Provides funds for All Other and authorization to permit 15 Mental Health Worker I positions originally expected to be abolished to continue.

Military and Naval Children's Home

Positions	(6)	(6)
Personal Services	$117,552	$123,698
All Other	2,000	2,100
Capital Expenditures	2,000	1,000
TOTAL	$121,552	$126,798

Provides funds for preadolescent wing at the Military and Naval Children's Home and 6 Mental Health Worker I positions.

Pineland Center

Positions	(10)	
Personal Services	$150,000	

Provides funds for 10 Mental Health Worker I positions previously scheduled to terminate June 1989, to continue for an additional 9 months.

Mental Health Services - Children

Positions	(7)	(7)
Personal Services	$211,177	$217,677
All Other	3,220	3,220
TOTAL	$214,397	$220,897

Provides funds for more appropriately reflecting the job assignments of regional Bureau of Special Needs staff. Positions include one Mental Retardation Program Supervisor, one Teacher - Learning Disabilities, one Teacher and 4 Child Development Workers.

Elizabeth Levinson Center

Positions	(-7)	(-7)
Personal Services	($211,177)	($217,677)
All Other	(3,220)	(3,220)
TOTAL	($214,397)	($220,897)

Provides funds for more appropriately reflecting the job assignments of regional Bureau of Children with Special Needs staff. Positions include one Mental Retardation Program Supervisor, one Teacher - Learning Disabilities, one Teacher and 4 Child Development Workers.

Elizabeth Levinson Center

All Other	$20,000	$20,000

Provides funds for properly reflecting expenditures for physical therapy services provided to children at the Elizabeth Levinson Center.

Mental Retardation Services - Community

All Other	($20,000)	($20,000)

Deappropriates funds which should be in Elizabeth Levinson Center's budget for physical therapy services provided to children at the Elizabeth Levinson Center.

Mental Retardation Services - Community

Positions	(2)	(2)
Personal Services	$39,313	$40,709
All Other	(39,313)	(40,709)
TOTAL	$-0-	$-0-

Provides funds for 2 Mental Health Worker II positions.

Office of Advocacy - Mental Health and Mental Retardation

Positions	(5)	(5)
Personal Services	$158,370	$166,289
All Other	7,919	8,314
TOTAL	$166,289	$174,603

Provides for the establishment of a new and separate account for the Office of Advocacy and the transfer of the following positions: an Advocate position from Elizabeth Levinson Center; 3 Advocate positions from Mental Retardation Services - Community; and an Advocate position from Pineland Center.

Elizabeth Levinson Center

Positions	(-1)	(-1)
Personal Services	($31,352)	($32,920)
All Other	(1,568)	(1,646)
TOTAL	($32,920)	($34,566)

Provides funds for the transfer of an Advocate position from this account to the Office of Advocacy, Department of Mental Health and Mental Retardation to establish a new account.

Mental Retardation Services - Community

Positions	(-3)	(-3)
Personal Services	($95,666)	($100,449)
All Other	(4,783)	(5,022)
TOTAL	($100,449)	($105,471)

Provides funds for the transfer of 3 Advocate positions from this account to the Office of Advocacy, Department of Mental Health and Mental Retardation to establish a new account.

Pineland Center

Positions	(-1)	(-1)
Personal Services	($31,352)	($32,920)
All Other	(1,568)	(1,646)
TOTAL	($32,920)	($34,566)

Provides funds for the transfer of an Advocate position from this account to the Office of Advocacy, Department of Mental Health and Mental Retardation to establish a new account.

Pineland Center

Personal Services	$25,550	$29,020

Provides funds for increased physician salaries.

Mental Retardation Services - Community

All Other	$4,277,413	$3,482,167

Provides funds for day habilitation services for people with mental retardation, including transportation services, for which federal funding has been terminated. No transportation services, for the number of clients in any group currently funded in part or in whole by the State, may be decreased prior to April 1, 1990.

Mental Retardation Services - Community

All Other	$494,000	

Provides additional funds for day habilitation services for people with mental retardation, including transportation services, for which federal funding has been terminated.

Augusta Mental Health Institute

Positions	(81)	(81)
Personal Services	$1,840,566	$1,973,016
All Other	302,028	328,651
TOTAL	$2,142,594	$2,301,667

Provides funds to address health and safety issues, to improve direct patient care, to monitor patient activities and maintain patient charts and records. Includes funding for the following positions: one Central Supply Technician; 3 Clerk Typist II positions; 7 Hospital Ward Clerks; 4 Custodial Worker I positions; one Personnel Assistant; 4 full-time and one part-time Food Service Worker positions; one Lab Technician II position; 17 Mental Health Worker I positions; 7 Mental Health Worker II positions; 6 Mental Health Worker III positions; one Mental Health Worker IV position; one Licensed Practical Nurse; 9 Nurse II positions; 3 Nurse III positions; 3 Physician Assistants; 2 full-time and one part-time Psychiatric Social Worker II positions; one Occupational Therapy Aide; one Recreational Therapist; 2 Recreational Therapy Aides; one Physical Therapist I position; 2 Physician III positions; and 2 Psychologist III positions. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

Mental Health Services - Children

Positions	(5)	(5)
Personal Services	$167,202	$179,626
All Other	10,000	10,350
TOTAL	$177,202	$189,976

Provides funds for one Comprehensive Health Planner II position, one Comprehensive Health Planner I position, one Clerk Typist II position and 2 Mental Health Program Coordinator positions.

Mental Health Services - Children

All Other	$40,000	$40,000

Provides funds for properly reflecting expenditures for mental health services provided to children.

Mental Health Services - Community

All Other	($40,000)	($40,000)

Deappropriates funds which should properly have been appropriated to the Bureau of Children with Special Needs.

Administration - Mental Health and Mental Retardation

Positions	(-1)	(-1)

Personal Services	($47,104)	($49,224)

Provides funds for the transfer of a Psychologist III position from the State Forensic Service to Bangor Mental Health Institute.

Bangor Mental Health Institute

Positions	(1)	(1)
Personal Services	$47,104	$49,224

Provides funds for the transfer of a Psychologist III position from the State Forensic Service to Bangor Mental Health Institute.

Bangor Mental Health Institute

Positions	(-1)	(-1)
Personal Services	($17,334)	($18,114)

Provides funds for the transfer of a Clerk Typist III position to the State Forensic Service.

Administration - Mental Health and Mental Retardation

Positions	(1)	(1)
Personal Services	$17,334	$18,114

Provides funds for the transfer of a Clerk Typist III position from the Bangor Mental Health Institute.

Bangor Mental Health Institute

Positions	(1)	(1)
Personal Services	$19,630	$19,630
All Other	(19,630)	(19,630)
TOTAL	$-0-	$-0-

Provides funds for a Safety Officer position on the 3rd shift for Fire Training and Security and to reduce the existing security contract to provide only fill-in coverage for the new Safety Officer and the existing Security Guard.

Office of Advocacy - Mental Health and Mental Retardation

Positions	(9)	(9)
Personal Services	$302,352	$317,467
All Other	15,750	15,891
TOTAL	$318,102	$333,358

Provides for the transfer of the following positions: a Chief Advocate position from Administration, Mental Health and Mental Retardation; an Advocate position from Augusta Mental Health Institute; an Advocate position from Bangor Mental Health Institute; a Comprehensive Health Planner II position from Mental Health Services - Children and adds 5 additional Advocate positions.

Administration - Mental Health and Mental Retardation

Positions	(-1)	(-1)
Personal Services	($35,899)	($37,694)
All Other	(1,795)	(1,885)
TOTAL	($37,694)	($39,579)

Provides funds for the transfer of a Chief Advocate position to the Office of Advocacy, Mental Health and Mental Retardation.

Augusta Mental Health Institute

Positions	(-1)	(-1)
Personal Services	($26,228)	($27,538)
All Other	(1,310)	(1,377)
TOTAL	($27,538)	($28,915)

Provides funds for the transfer of an Advocate position to the Office of Advocacy, Mental Health and Mental Retardation.

Bangor Mental Health Institute

Positions	(-1)	(-1)
Personal Services	($32,835)	($34,477)
All Other	(1,642)	(1,724)
TOTAL	($34,477)	($36,201)

Provides funds for the transfer of an Advocate position to the Office of Advocacy, Mental Health and Mental Retardation.

Mental Health Services - Children

Positions	(-1)	(-1)
Personal Services	($39,417)	($41,388)
All Other	(1,971)	(2,069)
TOTAL	($41,388)	($43,457)

Provides funds for the transfer of a Comprehensive Health Planner II position to the Office of Advocacy, Mental Health and Mental Retardation.

Augusta Mental Health Institute

Positions	(85)	(75)
Personal Services	$1,761,843	$1,960,821

Provides funds for 36 Mental Health Worker I positions, 14 Nurse II positions, 12 Custodial Worker I positions, 7 Licensed Practical Nurse positions, 4 Nurse III positions, 3 Nurse IV positions, 3 Physician III positions, a Nurse I position, a Personnel Specialist position, a Housekeeper I position, a Registered Dietician position, a Nurse II position and a Nurse IV position. The 2nd year will show a reduction of 10 Mental Health Worker I positions through attrition.

Augusta Mental Health Institute

Personal Services	$72,718	$82,602

Provides funds for increased physician salaries.

Bangor Mental Health Institute

Personal Services	$48,906	$55,551

Provides funds for increased physician salaries.

Augusta Mental Health Institute

All Other	$100,000	$100,000

Provides funds for staff training and requires proportional expenditure based on all staff levels. Priority is in-service, on-site education of direct care personnel. Requires consideration of change from Nappi training to Mandt training. Requires use of outside trainers instead of department staff.

Bangor Mental Health Institute

Positions	(34)	(34)
Personal Services	$644,089	$825,355
All Other	4,403	1,585
TOTAL	$648,492	$826,940

Provides funds for 2 Teacher positions, 2 Recreational Therapist positions, 2 Occupational Therapist II positions, one Teacher Aide position, one Cook III position, one Staff Development Specialist II position, 3 Custodial Worker III positions, 4 Institutional Custodial Worker positions, one Psychiatric Social Worker I position, one Psychologist III position, 10 Licensed Practical Nurse positions, 3 Ward Clerk positions, one Clerk Typist III position, 2 Nurse IV positions and provides funds to upgrade a vacant Psychologist II position to a Psychologist III position.

Mental Health Services - Community

All Other	$600,000	$1,443,125

Provides funds for comprehensive crisis stabilization services.

Mental Health Services - Community

All Other	$96,515	$96,515

Provides funds for the continuation of mental health services previously funded under the Alcohol Drug Abuse and Mental Health Block Grant.

Mental Health Services - Children

All Other	$115,141	$115,141

Provides funds for the continuation of mental health services previously funded under the Alcohol Drug Abuse and Mental Health Block Grant.

Mental Health Services - Children

All Other	$437,500	$700,000

Provides funds for the continuation of the Meadowview pilot program and to expand services to latency-aged children by providing 10 therapeutic group home beds.

Administration - Mental Health and Mental Retardation

Positions	(8.5)	(8.5)
Personal Services	$250,331	$318,630
All Other	2,160	3,024
TOTAL	$252,491	$321,654

Provides funds for 2 Auditor II positions, an Associate Commissioner, Facility Services; a Comprehensive Health Planner II, a Management Analyst II, a Reimbursement Assistant, a half-time Comprehensive Health Planner II, a half-time Clerk Typist II, a a half-time Reimbursement Specialist and one assistant to Associate Commissioner.

Mental Health Services - Community

All Other	$118,600	$276,100

Provides funds for services to individuals with a dual diagnosis.

Administration - Mental Health and Mental Retardation

Personal Services	$5,693	$6,463

Provides funds for increased physician salaries.

Mental Health Services - Community

All Other	$100,000	$130,831

Provides funds for community support workers and case managers.

Maine Health Services - Community

All Other	$96,500	$125,000

Provides funds for peer and family support to go to Maine Alliance for Mentally Ill.

Bangor Mental Health Institute

Personal Services	$6,000	$6,000

Provides funds for increases in salaries for physician extenders.

Augusta Mental Health Institute		
Personal Services	$35,000	$35,000
Provides funds for increases in salaries for physician extenders.		
Augusta Mental Health Institute		
Personal Services	$15,000	$20,000
Provides funds to upgrade salary for superintendent.		
Bangor Mental Health Institute		
Personal Services	$5,000	$10,000
Provides funds to upgrade salary for superintendent.		
Administration - Mental Health and Mental Rehabilitation		
All Other	$50,000	
Provides funds to conduct a review of the treatment needs and individual treatment plans of all patients residing at Augusta Mental Health Institute and Bangor Mental Health Institute.		
Systems Assessment Commission		
Personal Services	$2,970	
All Other	47,030	
TOTAL	$50,000	
Provides funds for per diem and expenses for commission members and for the Systems Assessment Commission to study the cost of institutions, alternative sites and needs of residents.		
Augusta Mental Health Institute		
Capital Expenditures	$121,000	
Provides funds to purchase a new pit baler ($50,000), a horizontal baler and 12 dump carts ($51,000) and an industrial shredder ($20,000) for the G.R.O.W. Industries program.		
Mental Health Services - Community		
All Other		$170,500
Provides funds for a 1% cost-of-living adjustment for all service providers.		
Mental Health Services - Children		
All Other		$52,680
Provides funds for a 1% cost-of-living adjustment for all service providers.		
Mental Retardation Services - Community		
All Other		$113,112
Provides funds for a 1% cost-of-living adjustment for all service providers.		
Mental Health Services - Children		
All Other	$80,000	$80,000
Provides funds for the statewide expansion of services to children with autism and their families, including a comprehensive system of family support services.		
Mental Health Services - Children		
All Other	$150,000	$150,000
Provides funds for case management services and mediation by trained mediators to resolve conflicting issues between parents and children.		
Mental Health Services - Children		
All Other	$375,000	$375,000
Provides $315,000 in each year of the biennium for family support services for families who choose to care for their children with developmental disabilities at home; and provides $60,000 in each year to expand the "Respitality" program to a statewide basis from its current availability in the greater Bangor service area and to provide to families with planned respite care opportunities at participating local hotels.		
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL	$13,378,715	$14,083,469
PINE TREE LEGAL ASSISTANCE		
Legal Assistance		
All Other	$75,000	$75,000
Provides funds to continue the current level of civil legal services to eligible low-income individuals in all forums.		
PINE TREE LEGAL ASSISTANCE TOTAL	$75,000	$75,000
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Bureau of Banking		
Positions	(4)	(4)
Personal Services	$138,750	$145,700
All Other	27,200	26,100
Capital Expenditures	37,536	14,800
Provides funds for: new positions of Licensing Coordinator, Broker-Dealer and		

Investment Advisor Examiner, Small Business Specialist and Administrative Secretary; computerization of records; and proposed reclassifications and range changes as follows: range changes - Securities Administrator, range 30 to 33; Supervisor, Enforcement, range 25 to 30; Supervisor, Securities Regulation, range 23 to 27; and reclassifications - Legal Secretary to Administrative Secretary; Securities Investigator to Coordinator of Licensing Investigation; and Clerk Typist II to Clerk Typist III. Expected to result in an annual increase in General Fund undedicated revenue of approximately $300,000 each year.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL	$203,486	$186,600

PUBLIC SAFETY, DEPARTMENT OF

State Police

Positions		(5)
Personal Services		$50,927
All Other		25,105
Capital Expenditures		47,635
TOTAL		$123,667

Provides funds for 5 State Troopers. Represents 50% General Fund share of the total costs.

State Police

Positions	(2)	(2)
Personal Services	$19,638	$28,417
All Other	198,098	193,618
TOTAL	$217,736	$222,035

Provides funds for the implementation of departmental long-range Automated Systems Plan and for one Systems Analyst position and one Computer Operator position. Represents 50% General Fund share of the total costs.

State Police

Positions	(6)	(6)
Personal Services	$70,902	$72,487
All Other	2,500	2,750
Capital Expenditures	2,510	
TOTAL	$75,912	$75,237

Provides funds for essential civilian support services for the Maine State Police including 3 Clerk Stenographer II positions, 2 Clerk Stenographer III positions and one Clerk Typist II position. Represents 50% General Fund share of the total costs.

State Police

Capital Expenditures	$12,500

Provides funds for analysis of equipment and related accessories for characterization of blood and body fluids. Represents 50% of General Fund share of total cost.

State Police

Capital Expenditures	$5,950

Provides funds for Omni Chrome LP-1000 Portable Argon Laser for forensic, criminalistic and fingerprint detection and examination. Represents 50% of General Fund share of total cost.

State Police

All Other	$25,000

Provides funds for protective clothing, soft body armor, for State Police personnel. Represents 50% General Fund share of total cost.

Intergovernmental Drug Enforcement

Positions	(11)	(11)
Personal Services	$516,924	$599,730
All Other	1,246,102	1,234,285
TOTAL	$1,763,026	$1,834,015

Provides funds for a Director, an Assistant Director, 2 Regional Commanders, a Property Officer, an Accountant I, 2 Secretaries, 2 Clerk Stenographer III positions and a Clerk Typist.

Criminal Justice Academy

Positions	(1)	(2)
Personal Services	$22,729	$57,676
All Other	6,255	12,550
Capital Expenditures	18,592	20,053
TOTAL	$47,576	$90,279

Provides funds for a Maine Criminal Justice Academy Training Coordinator in 1990 and an additional one in 1991.

State Police

Personal Services	$2,564	$2,634

Provides funds for the reclassification from a Clerk Typist II to an Identifier Specialist I and from a Fingerprint Classifier II to an Identifier Specialist II. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

DEPARTMENT OF PUBLIC SAFETY TOTAL	$2,150,264	$2,347,867

SECRETARY OF STATE, DEPARTMENT OF THE

Administration - Secretary of State

Positions	(9)	(9)
Personal Services	$386,382	$402,945
All Other	290,600	157,100
Capital Expenditures	407,035	103,500
TOTAL	$1,084,017	$663,545

Provides funds for the following unclassified positions: Supervisor, Elections; Director, Rules and Commissions; Director, Corporations; and Assistant Deputy for Public Records. Request also reflects funding for: a Name Availability Specialist, an Accountant II, a Clerk Typist IV position, an Office Receptionist, a Computer Systems Administrator; the reorganization of the office through the reclassification of 5 Clerk Typist III positions, the reclassification of 4 Clerk IV positions, the reclassification of a Clerk IV to a Director, Elections; and various operating costs including Information Systems development, office equipment, work stations and computer equipment.

Administration - Secretary of State

Positions	(1)	(1)
Personal Services	$39,462	$39,715
All Other		260,347
TOTAL	$39,462	$300,062

Provides funds for 2 project positions, head count for a previously established position and operating expenses associated with the Primary and General Elections.

Administration - Secretary of State

Positions	(3)	(3)
Personal Services	$125,846	$129,388

Provides funds for a Finance Administrator, a Research Associate II position and an Administrative Assistant for the Bureau of Public Administration. Request reflects the continuation of Public Law 1989, chapter 7, appropriations.

Administration - Secretary of State

All Other	($200,000)

Deappropriates funds no longer required.

Administration - Secretary of State

All Other	$108,000

Provides funds for the cost of preparing, printing and distributing referenda ballots for the November election.

Administration - Secretary of State

All Other	$100,000

Provides funds to support the United States Secretary of State's Conference to be held at Bates College.

DEPARTMENT OF THE SECRETARY OF STATE TOTAL	$1,457,325	$892,995

TRANSPORTATION, DEPARTMENT OF

Railroad Assistance Program

All Other	$200,000	$200,000

Provides funds for: the maintenance of bridges; culverts; highway grade crossings; and to control brush and vegetation, maintain rail surfaces and alignments on state-owned and leased rail lines.

Air Search and Rescue

All Other	$75,000	$75,000

Provides funds for air search and rescue operations. These funds shall not be transferred for any other purpose.

Administration - Ports and Marine Transportation

All Other	$124,112	$129,319

Provides funds for 2 additional crews to meet the State's share for the operation of the Maine State Ferry Service.

State Plane

Capital Expenditures	$45,682

Provides funds for the periodic replacement of engines on the executive aircraft.

State Plane

All Other	$15,020	$11,900

Provides funds due to the increase from 400 to 450 flight hours. An increase in revenues of $26,950 will be realized due to the increase in rental from $185 per hour to $250 per hour.

Advisory Committee to Update the Maine Aviation Systems Plan

Personal Services	$1,650
All Other	1,350
TOTAL	$3,000

Provides funds for the per diem, meeting, printing and miscellaneous expenses of the Advisory Committee to Update the Maine Aviation Systems Plan. These funds shall carry forward to June 30, 1991.		
DEPARTMENT OF TRANSPORTATION TOTAL	$462,814	$416,219
TREASURER OF STATE		
Debt Service - Treasury		
All Other		($1,750,000)
This reduction in appropriation in conjunction with authority to transfer an additional $1.75 million from the General Fund Debt Service account set up for the retirement of bonds and notes authorized under chapter 5, section 151-A will provide sufficient funds to cover the projected debt service requirement.		
TREASURER OF STATE TOTAL		($1,750,000)
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE		
Educational and General Activities - University of Maine System		
All Other	$6,000,000	$12,600,000
Provides funds for telecommunications funding and support for university programs.		
Maine Public Broadcasting Network		
All Other	$200,000	$200,000
Provides funds for the establishment of an equipment replacement pool which will fund a 4-year modernization plan and increased clerical support staff.		
Educational and General Activities - University of Maine		
All Other	$15,608	
Provides additional funding to the Agriculture and Resource Economics Department within the University of Maine System to augment the current study of the economic values and economic impacts associated with consumptive and nonconsumptive uses of Maine's fish and wildlife resources as authorized by the Commission to Study the Economic Impact of Game and Nongame Species on Maine's Economy.		
Educational and General Activities - University of Maine		
All Other	$100,000	$50,000
Provides funds to establish and support an Arcadian Archives Center at the University of Maine - Fort Kent.		
BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM TOTAL	$6,315,608	$12,850,000
WORKERS' COMPENSATION COMMISSION		
Workers' Compensation Commission		
All Other	$30,895	$32,335
Provides funds for additional cost of rent in the Lewiston district office due to an increase in square footage, as well as in the Portland and Augusta regional offices, and for a hearing room in the Brunswick area.		
Workers' Compensation Commission		
Positions	(1)	(1)
Personal Services	$21,100	$22,750
All Other	11,650	11,350
TOTAL	$32,750	$34,100
Provides funds for an Information System Support Technician to train employees in the use of the commission's computer system. Request reflects continuation of Public Law 1989, chapter 7, appropriations.		
Workers' Compensation Commission		
Positions	(2)	(2)
Personal Services	$37,234	$39,669
All Other	3,300	3,200
TOTAL	$40,534	$42,869
Provides funds for 2 Clerk Typist II positions, one for the Portland regional office and one for the Lewiston regional office. Request reflects continuation of Public Law 1989, chapter 7, appropriations.		
Workers' Compensation Commission		
Personal Services	$1,034	$1,041
Provides funds for the reclassification of a Data Entry Operator position to a Data Entry Specialist through the reorganization of duties.		
WORKERS' COMPENSATION COMMISSION TOTAL	$105,213	$110,345
PART A TOTAL	$66,665,428	$68,884,369

PART B

Sec. 1. Appropriation. There are appropriated from the General Fund for the fiscal years ending June 30, 1990, and June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1989-90	1990-91
ADMINISTRATION, DEPARTMENT OF		
Administrative Services - Administration		
Personal Services	$2,257	$1,497
Buildings and Grounds Operations		
Personal Services	$3,215	$4,199
Public Improvements - Planning and Construction - Administration		
Personal Services	$1,702	$1,892
Administration - Human Resources		
Personal Services	$15,558	$5,636
DEPARTMENT OF ADMINISTRATION TOTAL	$22,732	$13,224
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Marketing Services - Agriculture		
Personal Services	$1,773	$1,920
Agricultural Production		
Personal Services	$13,439	$12,657
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL	$15,212	$14,577
CONSERVATION, DEPARTMENT OF		
Maine Land Use Regulation Commission		
Personal Services	$7,198	$6,739
Parks - General Operations		
Personal Services	$15,999	$6,317
Geological Survey		
Personal Services	$4,516	$5,467
Administrative Services - Conservation		
Personal Services	$2,443	$3,520
Insect and Disease Management		
Personal Services	$3,081	$3,353
DEPARTMENT OF CONSERVATION TOTAL	$33,237	$25,396
CORRECTIONS, DEPARTMENT OF		
Charleston Correctional Facility		
Personal Services	$5,358	$4,710
Downeast Correctional Facility		
Personal Services	$5,594	$5,677
State Prison		
Personal Services	$22,959	$16,491
Administration - Corrections		
Personal Services	$1,319	$1,076
Correctional Center		
Personal Services	$10,810	$5,935
Central Maine Pre-Release Center		
Personal Services	$2,882	$1,773
DEPARTMENT OF CORRECTIONS TOTAL	$48,922	$35,662
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF		
Community Development Block Grant Program		
Personal Services	$11,944	$8,612
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	$11,944	$8,612
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Administration - Museum		
Personal Services	$4,305	$4,023
Finance - Education		
Personal Services	$2,749	$3,306
Governor Baxter School for the Deaf		
Personal Services	$13,942	$8,324
Office of State Historian		
Personal Services	$12,400	$8,800
Library Development Services		
Personal Services	$2,122	$1,692
Certification, Placement and Teacher Education		
Personal Services	$8,846	$7,129
Administrative Services - Education		
Personal Services	$1,209	$853
Special Education - Exceptional Children		
Personal Services	$3,014	$1,878
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	$48,587	$36,005

ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Solid Waste Management		
Personal Services	$3,194	$1,647
Administration - Environmental Protection		
Personal Services	$2,714	$1,810
Air Quality Control		
Personal Services	$5,835	$2,865
Land Quality Control		
Personal Services	$6,166	$6,172
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	$17,909	$12,494
FINANCE, DEPARTMENT OF		
Bureau of Taxation		
Personal Services	$26,356	$23,014
Administrative Services - Finance		
Personal Services	$2,841	$1,865
Bureau of Accounts and Control		
Personal Services	$2,489	$2,627
DEPARTMENT OF FINANCE TOTAL	$31,686	$27,506
HUMAN SERVICES, DEPARTMENT OF		
Administration - Income Maintenance		
Personal Services	$5,832	$5,832
Income Maintenance - Regional		
Personal Services	$57,450	$56,251
Administration - Human Services		
Personal Services	$44,456	$18,857
Division of Eye Care		
Personal Services	$3,810	$2,035
Administration - Social Services		
Personal Services	$4,011	$4,011
Medical Care Administration		
Personal Services	$15,017	$7,996
Vocational Rehabilitation - Bureau of Rehabilitation		
Personal Services	$10,368	$6,752
Administration - Regional - Human Services		
Personal Services	$11,298	$7,263
Bureau of Health		
Personal Services	$76,584	$48,199
DEPARTMENT OF HUMAN SERVICES TOTAL	$228,826	$157,196
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
Atlantic Sea Run Salmon Commission		
Personal Services	$4,482	$2,696
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL	$4,482	$2,696
LABOR, DEPARTMENT OF		
Administration - Bureau of Labor Standards		
Personal Services	$4,366	$5,818
Regulation and Enforcement		
Personal Services	$3,168	$3,336
DEPARTMENT OF LABOR TOTAL	$7,534	$9,154
MARINE RESOURCES, DEPARTMENT OF		
Bureau of Marine Sciences		
Personal Services	$3,375	$3,725
DEPARTMENT OF MARINE RESOURCES TOTAL	$3,375	$3,725
MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF		
Mental Health Services - Children		
Personal Services	$105,636	$51,115
Elizabeth Levinson Center		
Personal Services	$48,259	$22,837
Pineland Center		
Personal Services	$861	$841
Bangor Mental Health Institute		
Personal Services	$37,969	$24,906
Augusta Mental Health Institute		
Personal Services	$40,931	$25,008
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL	$233,656	$124,707
PUBLIC SAFETY, DEPARTMENT OF		
Liquor Enforcement		
Personal Services	$2,773	$2,056
State Police		
Personal Services	$973	$997

DEPARTMENT OF PUBLIC SAFETY TOTAL	$3,746	$3,053
SECRETARY OF STATE, DEPARTMENT OF THE		
Administration - Archives		
Personal Services	$8,683	$4,940
DEPARTMENT OF THE SECRETARY OF STATE TOTAL	$8,683	$4,940
TRANSPORTATION, DEPARTMENT OF		
Administration - Aeronautics		
Personal Services	$11,189	$6,656
DEPARTMENT OF TRANSPORTATION TOTAL	$11,189	$6,656
WORKERS' COMPENSATION COMMISSION		
Workers' Compensation Commission		
Personal Services	$25,949	$23,036
WORKERS' COMPENSATION COMMISSION TOTAL	$25,949	$23,036
TOTAL APPROPRIATIONS SECTION 1	$757,669	$508,639

Sec. 2. Allocations; Federal Expenditure Fund. There are allocated from the Federal Expenditure Fund for the fiscal years ending June 30, 1990, and June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1989-90	1990-91
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Historic Preservation Commission		
Personal Services	$17,739	$10,244
Arts - Sponsored Program		
Personal Services	$3,032	$3,147
Nutrition Program - Local Schools		
Personal Services	$4,551	$2,313
Library Development Services		
Personal Services	$2,898	$2,280
Education of Children of Low-income Families - Title I		
Personal Services	$10,038	$11,958
Special Education - Exceptional Children		
Personal Services	$5,153	$5,782
Administrative Services - Education		
Personal Services	$2,365	$1,672
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	$45,776	$37,396
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Personal Services	$3,378	$1,684
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	$3,378	$1,684
HUMAN SERVICES, DEPARTMENT OF		
Income Maintenance - Regional		
Personal Services	$40,035	$40,332
Vocational Rehabilitation - Bureau of Rehabilitation		
Personal Services	$20,119	$11,522
Administration - Regional - Human Services		
Personal Services	$1,192	$568
Division of Eye Care		
Personal Services	$10,120	$6,752
Medical Care Administration		
Personal Services	$30,479	$15,425
Administration - Income Maintenance		
Personal Services	$6,266	$4,662
Bureau of Health		
Personal Services	$5,762	$3,612
Administration - Human Services		
Personal Services	$30,098	$11,323
Bureau of Rehabilitation		
Personal Services	$5,814	$3,533
DEPARTMENT OF HUMAN SERVICES TOTAL	$149,885	$97,729
PUBLIC SAFETY, DEPARTMENT OF		
Motor Carrier Safety		
Personal Services	$2,392	$2,392
DEPARTMENT OF PUBLIC SAFETY TOTAL	$2,392	$2,392
TOTAL ALLOCATIONS SECTION 2	$201,431	$139,201

Sec. 3. Allocations; Other Special Revenue funds. There are allocated from Other Special Revenue funds for the fiscal years ending June 30, 1990, and June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1989-90	1990-91
CONSERVATION, DEPARTMENT OF		
Land Management and Planning		
Personal Services	$1,461	$1,848
DEPARTMENT OF CONSERVATION TOTAL	$1,461	$1,848
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Alcohol and Drug Education Services		
Personal Services	$5,666	$5,061
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	$5,666	$5,061
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Administration - Environmental Protection		
Personal Services	$41,397	$27,404
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	$41,397	$27,404
HEALTH CARE FINANCE COMMISSION		
Health Care Finance Commission		
Personal Services	$6,850	$5,460
HEALTH CARE FINANCE COMMISSION TOTAL	$6,850	$5,460
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Health		
Personal Services	$50,791	$25,791
Plumbing - Control Over		
Personal Services	$5,412	$3,541
DEPARTMENT OF HUMAN SERVICES TOTAL	$56,203	$29,332
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
Administrative Services - Inland Fisheries and Wildlife		
Personal Services	$2,570	$1,799
Enforcement Operations - Inland Fisheries and Wildlife		
Personal Services	$5,381	$4,565
Licensing Services - Inland Fisheries and Wildlife		
Personal Services	$5,208	$5,731
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL	$13,159	$12,095
LABOR, DEPARTMENT OF		
Safety Education and Training Programs		
Personal Services	$1,507	$3,524
DEPARTMENT OF LABOR TOTAL	$1,507	$3,524
MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF		
Augusta Mental Health Institute		
Personal Services	$1,246	$724
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL	$1,246	$724
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Personal Services	$2,647	$3,191
Traffic Safety		
Personal Services	$3,683	$3,683
DEPARTMENT OF PUBLIC SAFETY TOTAL	$6,330	$6,874
TOTAL ALLOCATIONS SECTION 3	$133,819	$92,322

Sec. 4. Allocation; Federal Block Grant funds. There are allocated from Federal Block Grant funds for fiscal years ending June 30, 1990, and June 30, 1991, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1989-90	1990-91
HUMAN SERVICES, DEPARTMENT OF		
Maternal and Child Health		
Personal Services	$6,336	$3,831
All Other	(6,336)	(3,831)
TOTAL	$-0-	$-0-
Crippled Children Services		
Personal Services	$2,535	$2,732
All Other	(2,535)	(2,732)
TOTAL	$-0-	$-0-
Alcoholism and Drug Abuse Prevention - Human Services		
Personal Services	$1,990	$731
All Other	(1,990)	(731)
TOTAL	$-0-	$-0-

DEPARTMENT OF HUMAN SERVICES TOTAL	$-0-	$-0-
TOTAL ALLOCATION SECTION 4	$-0-	$-0-

Sec. 5. Allocations. In order to provide for the necessary expenses of operation and administration of the Bureau of Alcoholic Beverages and the State Liquor Commission, the following amounts are allocated from the revenues derived from operations of the State Alcoholic Beverages Fund for the fiscal years ending June 30, 1990, and June 30, 1991, to carry out the purposes of this Act.

	1989-90	1990-91
FINANCE, DEPARTMENT OF		
Alcoholic Beverages - General Operation		
Personal Services	$1,151,516	$612,287
Alcoholic Beverages - General Operation		
Personal Services	($515,000)	($515,000)
The above reclassifications and range changes within the Bureau of Alcoholic Beverages will result in a more efficient utilization of personnel in the overall operations of the bureau. This reduction will be accomplished through the use of intermittent employees and the elimination of a minimum of 10 positions through attrition over the biennium.		
DEPARTMENT OF FINANCE TOTAL	$636,516	$97,287
TOTAL ALLOCATIONS SECTION 5	$636,516	$97,287

Sec. 6. Legislative intent. It is the intent of the Legislature that the reclassifications and range changes represented by the appropriation and allocation amounts identified in Part B shall be considered effective upon approval of this Act and the fiscal year 1988-89 resources previously identified as available to supplement these amounts shall not lapse but remain available for the purpose until June 30, 1990.

PART C

Sec. 1. Appropriation. In order to provide for essential maintenance and repair needs of state facilities for the biennium, the following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
ADMINISTRATION, DEPARTMENT OF		
Public Improvements - Planning-Construction - Administration		
All Other	$2,556,000	$2,500,000
Capital Expenditures	10,615,013	
Provides funds for statewide capital construction, improvements and repairs. Also, includes $2,000,000 for the pier at Maine Maritime Academy; $56,000 to repair the library at Eagle Island State Park; $800,000 toward the purchase of Oak-Grove Coburn Academy; and $838,540 for various items within the Department of Mental Health and Mental Retardation.		
DEPARTMENT OF ADMINISTRATION TOTAL	$13,171,013	$2,500,000
DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF		
Administration - Maine Emergency Management Agency		
All Other	$860,000	
Provides funds for the State's share of Disaster Assistance Funds of $800,000 for the flood-damaged Hartland Dam and $60,000 for Chain of Ponds Dam.		
DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL	$860,000	
FINANCE, DEPARTMENT OF		
Rainy Day Fund Program		
Unallocated	($20,931,013)	($2,600,000)
Provides resources to fund various capital construction, improvement, repair and projects included in this Part.		
Rainy Day Fund Program		
Unallocated	$722,000	
Provides resources to carry out the purposes of the Maine Revised Statutes, Title 5, section 1513, subsection 1.		
DEPARTMENT OF FINANCE TOTAL	($20,209,013)	($2,600,000)
SECRETARY OF STATE, DEPARTMENT OF THE		
Contingency Account - Building		
Capital Expenditures	$6,000,000	
Provides funds for the new Motor Vehicle Building.		
DEPARTMENT OF THE SECRETARY OF STATE TOTAL	$6,000,000	
TRANSPORTATION, DEPARTMENT OF		
Capital Construction - Repairs - Improvements - Transportation		
All Other	$400,000	$100,000

Capital Expenditures	500,000	
DEPARTMENT OF TRANSPORTATION TOTAL	$900,000	$100,000
PART C TOTAL	$722,000	$-0-

Sec. 2. Carry forward. Funds appropriated in section 1 shall not lapse on June 30, 1990, but shall carry forward to June 30, 1991.

Sec. 3. Expenditures from Maine Rainy Day Fund. Notwithstanding the Maine Revised Statutes, Title 5, section 1513, subsection 2, expenditures from the Maine Rainy Day Fund for the fiscal years ending June 30, 1990, and June 30, 1991, may be used for the following purposes: public improvements, planning and construction in the Department of Administration; Department of Conservation, Parks and Recreation; Department of Defense and Veterans' Services, Maine Emergency Management Agency, disaster assistance funds for the flood-damaged Hartland Dam and Chain of Pond Dam; Department of Transportation, capital construction, repairs, improvements and the new motor vehicle building for the Division of Motor Vehicles.

PART D

Allocation. The following funds are allocated from the Federal Expenditure Fund for the fiscal years ending June 30, 1990, and June 30, 1991, to carry out the purposes of this Act.

	1989-90	1990-91
CORRECTIONS, DEPARTMENT OF		
Youth Center - Maine		
Positions	(2)	
Personal Services	$65,017	
Allocates funds for a Special Education Teacher Consultant and clerical services.		
DEPARTMENT OF CORRECTIONS TOTAL	$65,017	
DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF		
Military Training and Operations		
Personal Services	$1,990	$1,990
Provides funds for the reclassification of a Laborer II position to a Building Custodian as a result of the reorganization of duties.		
DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL	$1,990	$1,990
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF		
Office of Community Development		
Positions	(-7)	(-7)
Personal Services	($221,922)	($229,466)
All Other	(1,018,350)	(1,018,350)
TOTAL	($1,240,272)	($1,247,816)
Deallocates funds which should have been allocated to comprehensive land use planning.		
Comprehensive Land Use Planning		
Positions	(7)	(7)
Personal Services	$221,922	$229,466
All Other	1,018,350	1,018,350
TOTAL	$1,240,272	$1,247,816
Allocates funds for comprehensive land use planning.		
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	$-0-	$-0-
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Administrative Services - Education		
Positions	(1)	(1)
Personal Services	$37,640	$38,840
Provides funds for the continuation of an Education Specialist I position which was originally established by financial order in fiscal year 1988-89.		
Vocational Training - Program Services		
Positions	(-3)	(-3)
Personal Services	($26,738)	($26,738)
All Other	(1,262)	(1,262)
TOTAL	($28,000)	($28,000)
Provides funds for the transfer of a Clerk Stenographer II position from Vocational Training to Administration and the elimination of all allocations and positions within Vocational Training. Funding for the Clerk Stenographer II position will be supported within the Administration Account.		
Administration - Vocational Education		
Positions	(1)	(1)
Personal Services	$23,279	$23,279
All Other	(23,279)	(23,279)
TOTAL	$-0-	$-0-
Provides funds for the transfer of a Clerk Stenographer II position from Vocational Training to Administration. Funding for the position will be supported by the transfer of funds from All Other to Personal Services.		

Education of Children of Low-income Families - Title I

Positions	(1)	(1)
Personal Services	$30,686	$33,128
All Other	(35,926)	(33,128)
Capital Expenditures	5,240	
TOTAL	$-0-	$-0-

Provides funds for an Education Specialist II position in order to meet additional state program requirements.

Library Development Services

All Other	$24,980

Allocates funds to facilitate the transition from community coalitions formed as a result of the Plus Campaign.

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	$34,620	$10,840

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Lake Restoration and Protection Fund

Positions	(1)	(1)
Personal Services	$28,871	$28,871
All Other	1,201	1,201
TOTAL	$30,072	$30,072

Provides funds for the continuation of a Biologist I position which was originally established by financial order in fiscal year 1988-89.

Water Quality Control

Positions	(4)	(4)
Personal Services	$96,437	$96,437
All Other	4,013	4,013
TOTAL	$100,450	$100,450

Provides funds for the continuation of 2 Conservation Aides, an Environmental Specialist III and an Environmental Specialist IV position, which were originally established by financial order in fiscal year 1988-89.

Air Quality Control

Personal Services	$1,708	$1,708

Provides funds for the reclassification of an Environmental Specialist II to an Environmental Specialist III as a result of a reorganization of duties.

Administration - Environmental Protection

Personal Services	$1,410	$1,410

Provides funds for the reclassification of a Clerk Typist II to an Account Clerk II as a result of a reorganization of duties.

Oil and Hazardous Materials Control

Positions	(6)	(6)
Personal Services	$223,000	$229,690
All Other	73,957	73,957
Capital Expenditures	8,270	8,270
TOTAL	$305,227	$311,917

Provides funds for supporting the uncontrolled hazardous substance sites program in Maine, including the investigation and cleanup of uncontrolled sites. Continues an Environmental Specialist II position, an Environmental Specialist III position, an Environmental Specialist IV position and an Oil Hazardous Materials Specialist I position, which were originally established by financial order in fiscal year 1988-89.

Administration - Environmental Protection

Personal Services	$4,321	$4,963

Provides funds for the reclassification of a Clerk Typist II to a Clerk III position and a Clerk III to a Personnel Assistant position as a result of the reorganization of duties.

Oil and Hazardous Materials Control

Personal Services	$2,475	$2,690

Provides funds for the continuation of a reclassified Oil and Hazardous Materials Specialist II position, which was originally reclassified through a financial order in fiscal year 1988-89.

Air Quality Control

Personal Services	$2,465	$3,317

Provides funds for the continuation of a reclassified Environmental Specialist III position, which was originally reclassified in fiscal year 1988-89 by a financial order.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	$448,128	$456,527

EXECUTIVE DEPARTMENT

Office of Energy Resources

Positions	(-12)	(-12)
Personal Services	($184,294)	($382,489)
All Other	(62,007)	(125,411)
TOTAL	($246,301)	($507,900)

Provides for a deallocation of funds in fiscal year 1990 and fiscal year 1991.

EXECUTIVE DEPARTMENT TOTAL	($246,301)	($507,900)
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	$9,121	$9,121

Allocates funds for repayment of government student loans for graduate nurses who are employed in long-term care facilities, hospitals, rural health clinics and home health agencies.

Intermediate Care - Payments to Providers		
All Other	$34,591	$34,591

Allocates funds for repayment of government student loans for graduate nurses who are employed in long-term care facilities, hospitals, rural health clinics and home health agencies.

Aid to Families With Dependent Children		
All Other	$20,000	$22,000

Provides for federal share of increased clothing allowance rates and annual school clothing purchases for foster children who qualify for AFDC-FC program.

Medical Care - Payments to Providers		
All Other	$904,000	$904,000

Provides funds for an increase in fees for physicians participating in the Medicaid program.

Health Insurance Subsidy Program		
All Other	$683,850	$2,628,000

Provides funds for federal match of General Fund appropriations.

Aid to Families with Dependent Children - Foster Care		
All Other	$157,117	$148,528

Provides funds for federal match of General Fund appropriations. This request is contingent upon approval of General Fund Part II request.

Medical Care - Payments to Providers		
All Other	$254,761	$601,753

Provides funds for federal match of General Fund appropriations. This request is contingent upon approval of General Fund Part II request.

Medical Care Administration		
All Other	$5,000	$5,000

Provides funds for federal match of General Fund appropriations. This request is contingent upon approval of General Fund Part II request.

Medical Care Administration		
Positions	(2)	(2)
Personal Services	$58,128	$60,832
All Other	7,400	7,400
Capital Expenditures	1,736	
TOTAL	$67,264	$68,232

Provides funds for a Systems Analyst and a Statistician II in order to enhance the management information system capabilities within the Bureau of Medical Services.

Medical Care Administration		
Positions	(1)	(1)
Personal Services	$28,846	$30,356
All Other	3,050	3,050
Capital Expenditures	868	
TOTAL	$32,764	$33,406

Provides funds for a Nurse Education Consultant who will be the training coordinator for implementing federally mandated education in-service requirements under OBRA 1987 and will implement nursing home fines and sanctions as required under state law.

Medical Care Administration		
Positions	(3)	(3)
Personal Services	$70,376	$73,590
All Other	7,200	7,200
Capital Expenditures	2,816	
TOTAL	$80,392	$80,790

Provides funds for a Comprehensive Health Planner I and a Provider Relations Specialist and Clerk Typist II position to meet increased workload requirements resulting from the addition of new Medicaid policies and programs and automation of Medicaid Preventive Health Program.

Medical Care Administration		
All Other	$6,600	$1,680
Capital Expenditures	107,250	
TOTAL	$113,850	$1,680

Provides funds for the purchase of an automated Medicaid eligibility verification system.

Medical Care Administration

Positions	(2)	(2)
Personal Services	$46,357	$48,470
All Other	4,850	4,850
Capital Expenditures	1,948	
TOTAL	$53,155	$53,320

Provides funds for a Medical Social Worker Consultant and a Clerk Typist III position in order to design, implement and monitor Medicaid-covered private nonmedical institution services in licensed boarding homes and adult foster homes.

Medical Care Administration

Positions	(3)	(3)
Personal Services	$76,938	$89,755
All Other	7,950	7,950
Capital Expenditures	3,028	
TOTAL	$87,916	$97,705

Provides funds for a Health Services Supervisor, a Health Services Consultant and a Clerk Typist II position needed to meet an increase in patient classification workload due to the construction of additional beds and the addition of home-based and community-based waiver programs.

Administration - Social Services

Positions	(1)
Personal Services	$14,968
All Other	18,990
TOTAL	$33,958

Provides funds for the continuation of a Planning and Research Associate II position funded by the Children's Justice Act. Position was originally established by financial order in fiscal year 1988-89.

Administration - Regional - Human Services

Positions	(-1)	(-1)
Personal Services	($21,990)	($22,716)

Provides funds for the transfer of a Clerk II position from Regional Administration to the Bureau of Administration.

Administration - Human Services

Positions	(1)	(1)
Personal Services	$21,990	$22,716

Provides funds for the transfer of a Clerk II position from Regional Administration to Administration - Human Services.

Bureau of Health

Positions	(2)	(2)
Personal Services	$48,204	$50,229

Provides funds for the continuation of a Clerk Typist III position and a Public Health Educator II position for the Center for Disease Control. Positions were originally established by financial order in fiscal year 1988-89.

Bureau of Health

Positions	(1)	(1)
Personal Services	$33,059	$33,200

Provides funds for the continuation of a Public Health Educator II position for the Child Passenger Safety Program. Position was originally established by financial order in fiscal year 1988-89.

Bureau of Health

Positions	(0.5)	(0.5)
Personal Services	$18,874	$18,955

Provides funds for the continuation of a half-time Planning and Research Associate II position for the Breast Cancer Demonstration and Control Project. Position was originally established by financial order in fiscal year 1988-89.

Administration - Human Services

Positions	(0.5)	(0.5)
Personal Services	$9,946	$10,302

Provides funds for the increase of a Clerk Typist II position from half time to full time.

Bureau of Health

Positions	(1)	(1)
Personal Services	$37,748	$37,910

Provides funds for the continuation of a Programmer Analyst position for the Nursing Supply Study. Position was originally established by financial order in fiscal year 1988-89.

Administration - Human Services

All Other	$424,884

Provides funds for the allocation of federal funds for the computer system data base conversion.

Aid to Families with Dependent Children - Foster Care

All Other	$159,780

Provides funds for the federal share of additional board rate increases and training for foster parents.

Bureau of Health

Positions	(1)	(1)
Personal Services	$25,946	$28,079

Provides funds for the continuation of a Computer Programmer position which was originally established by financial order in fiscal year 1988-89.

Aid to Families with Dependent Children - Foster Care

Positions	(7)
Personal Services	$233,567
All Other	39,968
Capital Expenditures	28,175
TOTAL	$301,710

Provides funds for the continuation in fiscal year 1989-90 of the Federal Program for Independent Living which was originally authorized for fiscal year 1988-89 through a financial order. Request reflects funding for a Social Services Supervisor, a Program Specialist I position, a Clerk Typist II position and 4 Human Services Caseworkers.

Bureau of Health

Positions	(1)	(1)
Personal Services	$21,028	$21,745

Provides funds for the continuation of a Clerk Typist III position which was originally created by financial order in fiscal year 1988-89.

Legal Services - Human Services

Positions	(-2)	(-2)
Personal Services	($66,120)	($66,401)
All Other	(1,525)	(1,630)
TOTAL	($67,645)	($68,031)

Provides funds to transfer 2 Fraud Investigators from Legal Services - Human Services to Administration - Income Maintenance.

Administration - Income Maintenance

Positions	(2)	(2)
Personal Services	$66,120	$66,401
All Other	1,525	1,630
TOTAL	$67,645	$68,031

Provides funds to transfer 2 Fraud Investigators from Legal Services - Human Services to Administration - Income Maintenance.

Income Maintenance - Regional

Positions	(-2)	(-2)
Personal Services	($54,060)	($56,306)
All Other	(4,452)	(4,780)
TOTAL	($58,512)	($61,086)

Provides funds for the transfer of 2 Fraud Investigators to Administration - Income Maintenance.

Administration - Income Maintenance

Positions	(2)	(2)
Personal Services	$54,060	$56,306
All Other	4,452	4,780
TOTAL	$58,512	$61,086

Provides funds for the transfer of 2 Fraud Investigators from Income Maintenance - Regional.

Intermediate Care - Payments to Providers

All Other	($611,300)	($576,300)

Provides for the deallocation of funding resulting from the negotiation of lower wholesale prices for drugs and from the initiation of drug restrictions on recipients.

Bureau of Health

Positions	(2)
Personal Services	$32,666
All Other	34,034
Capital Expenditures	22,800
TOTAL	$89,500

Allocates funds for recent categorical grant awards.

Intermediate Care - Payments to Providers

All Other	($890,000)

Deallocates funds per department's determinations that certain beds will not come on line in 1991.

Medical Care - Payments to Providers

All Other	($2,226,295)	($3,276,612)

Deallocates federal funds by reducing the rate of increase for hospital services and health care services under the Sixth Omnibus Budget Reconciliation Act.

Aid to Families with Dependent Children

All Other	$1,520,135	$2,896,250

Provides funds to increase the Aid to Families with Dependent

Children standard of need by 5%, effective January 1, 1990.		
Medical Care - Payments to Providers		
All Other	$137,700	$270,018
Provides funds for increased medical payments resulting from increasing the Aid to Families with Dependent Children standard of need.		
Medical Care - Payments to Providers		
All Other		$581,148
Provides funds for the federal share of Medicaid payments for rehabilitating persons with traumatic head injuries.		
Aid to Families with Dependent Children - Foster Care		
All Other	$56,000	$56,000
Allocates federal funds for a $30 per month allowance for any child or infant in foster care who requires diapers.		
DEPARTMENT OF HUMAN SERVICES TOTAL	$2,424,878	$4,108,830
MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF		
Mental Health Services - Children		
Positions	(6)	(6)
Personal Services	$177,655	$198,472
All Other	48,886	28,069
TOTAL	$226,541	$226,541
Provides funds for a Project Director, a Psychiatric Social Worker Supervisor, 3 Mental Health Worker IV positions and an Account Clerk I position for the federally funded transitional housing program.		
Mental Retardation Services - Community		
Positions	(2)	(2)
Personal Services	$70,067	$72,562
All Other	(70,067)	(72,562)
TOTAL	$-0-	$-0-
Provides funds for 2 Comprehensive Health Planner II positions and the reclassification of the Director of the Developmental Disabilities Council as a result of the reorganization of duties.		
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL	$226,541	$226,541
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Positions	(1)	(1)
Personal Services	$19,516	$20,019
Capital Expenditures	339	348
TOTAL	$19,855	$20,367
Allocates funds for a Clerk Typist I to serve as an accident coder.		
Motor Carrier Safety		
Positions	(1)	(1)
Personal Services	$19,400	$19,954
All Other	337	347
TOTAL	$19,737	$20,301
Allocates funds for a Data Entry Operator.		
Criminal Justice Academy		
Personal Services	$104,607	
All Other	16,546	
TOTAL	$121,153	
Allocates funds for drug control and system improvement.		
Intergovernmental Drug Enforcement		
All Other	$600,000	
Allocates funds for drug control and system improvement.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	$760,745	$40,668
PART D TOTAL	$3,715,618	$4,337,496

PART E

Allocation. The following funds are allocated from Other Special Revenue funds for the fiscal years ending June 30, 1990, and June 30, 1991, to carry out the purposes of this Act.

	1989-90	1990-91
ADMINISTRATION, DEPARTMENT OF		
Accident-Sickness-Health Insurance		
Positions	(3)	(3)
Personal Services	$67,905	$79,565
Provides funds for 2 Benefit Representatives and one Administrative Assistant to assist with the rapidly expanding workload in the state employee health insurance program.		
DEPARTMENT OF ADMINISTRATION TOTAL	$67,905	$79,565

CONSERVATION, DEPARTMENT OF		
Administrative Services - Conservation		
Personal Services	$8,733	$17,816
All Other	500	2,000
Capital Expenditures	250	
Provides 50% share for a Policy Development Specialist to coordinate and enhance private and public outdoor recreation opportunities, to work on property assessment and acquisition of public land, easements and other protection techniques.		
DEPARTMENT OF CONSERVATION TOTAL	$9,483	$19,816
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Alcohol and Drug Education Services		
Personal Services	$25,258	
All Other	(25,258)	
TOTAL	$-0-	
Provides funds for the transfer of funds from All Other to Personal Services in order to fund a project Clerk Stenographer II position for chemical dependency student assistance teams development and elementary parent outreach and policies development.		
Higher Education Services		
All Other	$210,000	$210,000
Provides funds for the increase of Part I authorized level of expenditures for the Blaine House Scholars Loan Program. Establishes an expenditure level of $2,150,000 for each year.		
Historic Preservation Commission		
Personal Services	$20,917	$22,619
Allocates funds to provide sufficient employees and weeks for seasonal Archeological Field workers with the Department of Transportation.		
Research and Collection - Museum		
All Other	$52,325	
Capital Expenditures	3,811	
TOTAL	$56,136	
Allocates funds to document archeological sites.		
Vocational Education - Secondary		
All Other	$3,094	
Allocates funds to promote literacy.		
DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	$290,147	$232,619
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Oil and Hazardous Materials Control		
Personal Services	$50,000	$50,000
All Other	2,000	2,000
TOTAL	$52,000	$52,000
Provides funds as a result of charging various funds due to the interchangability of staff support relating to emergency spill situations.		
Maine Environmental Protection Fund		
Personal Services	$2,475	$2,475
Provides funds for the reclassification of an Environmental Specialist II to an Environmental Specialist III as a result of the reorganization of duties.		
Maine Environmental Protection Fund		
Positions	(-14)	(-14)
Personal Services	($548,534)	($565,660)
Provides funds for the transfer of a Senior Meteorologist, 5 Environmental Specialist IV positions, 4 Civil Engineer I positions, 2 Division Directors, a Civil Engineer II and a Biologist III from the Maine Environmental Protection Fund to various General Fund accounts.		
Maine Environmental Protection Fund		
Positions	(20)	(20)
Personal Services	$545,676	$569,374
Provides funds for the transfer from the General Fund to the Maine Environmental Protection Fund dedicated account, a Clerk Typist I, 6 Clerk Typist II positions, a Biologist I, 7 Environmental Specialist II positions, 3 Environmental Specialist III positions and 2 Assistant Engineers.		
Oil and Hazardous Materials Control		
Personal Services	$2,587	$3,392
Provides funds for the reclassification of an Oil and Hazardous Materials Specialist I to an Oil and Hazardous Materials Specialist II as a result of a reorganization of duties.		

Oil and Hazardous Materials Control

Positions	(3)	
Personal Services	$122,416	
All Other	4,500	
Capital Expenditures	7,500	
TOTAL	$134,416	

Provides funds for one Environmental Specialist IV, one Civil Engineer III and one Hydrogeologist to clean up leaking underground oil storage facilities.

Administration - Environmental Protection

Personal Services	$6,988	$8,349

Provides funds for the continued funding of a reclassified Accountant III, a Clerk IV, a Clerk Typist III, a Management Analyst II and a Clerk Typist II position which were originally funded in fiscal year 1988-89 through a financial order.

Oil and Hazardous Materials Control

Personal Services	$765	

Provides funds for the continued funding of a reclassified Oil and Hazardous Materials Specialist II position which was originally funded in fiscal year 1988-89 through a financial order.

Oil and Hazardous Materials Control

Personal Services	$954	$1,073

Provides funds for the continued funding of a reclassified Clerk Typist III position which was originally funded in fiscal year 1988-89 through a financial order.

Oil and Hazardous Materials Control

Personal Services	$1,104	$1,266

Provides funds for the continued funding of a reclassified Clerk Typist III position which was originally funded in fiscal year 1988-89 through a financial order.

Oil and Hazardous Materials Control

Personal Services	$25,906	$25,906
All Other	1,036	1,036
TOTAL	$26,942	$26,942

Provides funds for the continuation of an Environmental Specialist II position, originally funded in fiscal year 1988-89 through a financial order.

Oil and Hazardous Materials Control

Personal Services	$25,906	$25,906
All Other	1,036	1,026
TOTAL	$26,942	$26,932

Provides funds for the continuation of an Environmental Specialist III position, originally funded in fiscal year 1988-89 through a financial order.

Maine Environmental Protection Fund

Personal Services	$1,352	$2,073

Provides funds for the continued funding of a reclassified Environmental Specialist III position, which was originally funded in fiscal year 1988-89 through a financial order.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	$253,667	$128,216

EXECUTIVE DEPARTMENT

Office of Energy Resources

All Other	($6,000)	($12,000)

Provides for a deallocation of funds in fiscal year 1989-90 and fiscal year 1990-91.

EXECUTIVE DEPARTMENT TOTAL	($6,000)	($12,000)

HUMAN SERVICES, DEPARTMENT OF

Medical Care Administration

Positions	(1)	(1)
Personal Services	$20,051	$20,539

Provides funds for the continuation of a Clerk Typist II position originally created by financial order in fiscal year 1988-89.

Bureau of Health

Positions	(0.5)	(0.5)
Personal Services	$11,490	$11,875

Provides funds for the continuation of a limited period, half-time Word Processing Operator originally created by financial order in fiscal year 1988-89.

Intermediate Care - Payments to Providers

All Other	$1,600,000	

Allocates funds collected from the recapture on sale of nursing homes.

DEPARTMENT OF HUMAN SERVICES TOTAL	$1,631,541	$32,414

LABOR, DEPARTMENT OF		
Safety Education and Training Fund		
Positions	(3)	(3)
Personal Services	$112,504	$117,091
All Other	103,111	115,909
Capital Expenditures	34,385	17,000
Allocates funds to establish a workplace safety and health initiative.		
DEPARTMENT OF LABOR TOTAL	$250,000	$250,000
MARINE RESOURCES, DEPARTMENT OF		
Bureau of Marine Sciences		
Positions	(1)	(1)
Personal Services	$46,700	$46,700
Allocates funds to match a proposed General Fund deappropriation.		
DEPARTMENT OF MARINE RESOURCES TOTAL	$46,700	$46,700
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Board of Dental Examiners		
Positions	(1)	(1)
Personal Services	$10,900	$12,000
All Other	4,300	4,300
TOTAL	$15,200	$16,300
Provides funds for an Executive Secretary position, increased rent costs, an increase in salary of the board's Secretary and related operating costs.		
Board of Nursing		
Personal Services	$9,400	$9,600
Provides funds for the recently approved range changes for an Executive Secretary and an Assistant Executive Secretary as a result of the reorganization of duties.		
Real Estate Commission		
Personal Services	$4,900	$5,200
Provides funds for the reclassification of a Planning and Research Associate I to a Planning and Research Associate II as a result of the reorganization of duties.		
Board of Cosmetology		
Positions	(1)	(1)
Personal Services	$21,000	$21,500
Provides funds for the continuation of a newly created Clerk Typist III position which was originally established in fiscal year 1988-89 through a financial order.		
Board of Osteopathic Examination and Registration		
Personal Services	$11,500	$12,100
Provides funds to continue an Executive Secretary position for the Board of Medicine which was established in fiscal year 1988-89 by a financial order.		
Administrative Services - Professional and Financial Regulation		
Positions	(1)	(1)
Personal Services	$34,000	$36,000
All Other	15,000	15,000
TOTAL	$49,000	$51,000
Allocates funds to support an Attorney position transferred from the General Fund.		
Bureau of Insurance		
Positions	(3)	(3)
Personal Services	$53,750	$56,500
Allocates funds for the position of Assistant Insurance Analyst, 2 Clerk Typist II positions and to fund range changes.		
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL	$164,750	$172,200
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
All Other	$250,427	$260,361
Capital Expenditures	234,573	224,639
TOTAL	$485,000	$485,000
Allocates funds for agent and equipment expenses for the Bureau of Intergovernmental Drug Enforcement.		
Office of Fire Marshal		
Positions	(1)	(1)
Personal Services	$27,935	$29,958
All Other	196	212
TOTAL	$28,131	$30,170
Provides funds for a Staff Development Specialist for the Office of the State Fire Marshal.		
Administration - Public Safety		
Positions	(1)	(1)
Personal Services	$27,716	$60,293
All Other	2,275	4,550
Capital Expenditures	847	
TOTAL	$30,838	$64,843

Allocates funds for an Assistant to the Commissioner position.

State Police

Positions	(2)	(2)
Personal Services	$81,895	$82,896

Allocates funds to support the transfer of 2 drug agent positions from the General Fund.

DEPARTMENT OF PUBLIC SAFETY TOTAL	$625,864	$662,909
PART E TOTAL	$3,334,057	$1,612,439

PART F

Sec. 1. Allocation. The following funds are allocated from Federal Block Grant funds for the fiscal years ending June 30, 1990, and June 30, 1991, to the departments listed, to carry out the purposes of this Act.

	1989-90	1990-91
ATTORNEY GENERAL, DEPARTMENT OF THE		
Administration - Attorney General		
Positions	(2)	
Personal Services	$90,000	
All Other	15,000	
DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	$105,000	
EXECUTIVE DEPARTMENT		
Planning Office		
All Other	$20,302	$30,000
Capital Expenditures	50,000	30,000

Request for authorization and allotment for a balance of funds related to block grant indirect costs.

EXECUTIVE DEPARTMENT TOTAL	$70,302	$60,000
HUMAN SERVICES, DEPARTMENT OF		
Alcoholism and Drug Abuse Prevention - Human Services		
All Other	$110,000	$10,000

Allocates funds for establishment of a revolving loan fund in order to comply with new Federal Block Grant regulations.

Alcoholism and Drug Abuse Prevention - Human Services

Positions	(-10)	(-10)
Personal Services	($322,862)	($326,497)
All Other	322,862	326,497
TOTAL	$-0-	$-0-

Adjusts allocation to reflect the transfer of 10 positions to the General Fund in order to comply with new federal regulations.

Alcoholism and Drug Abuse Prevention - Human Services

All Other	$68,509	$68,509

Provides funds for the Federal Community Youth Block Grant to be used to purchase intervention and drug education services for identified high-risk students.

Alcoholism and Drug Abuse Prevention - Human Services

All Other	$75,000	$75,000

Provides funds for additional data processing, training and technical assistance in order to collect specific types of substance abuse information as required by new Federal Block Grant legislation.

Alcoholism and Drug Abuse Prevention - Human Services

All Other	$450,000	$450,000

Provides funds for a community prevention and intervention youth program.

Alcoholism and Drug Abuse Prevention - Human Services

All Other	$300,000	$300,000

Alcoholism and Drug Abuse Prevention - Human Services

All Other	$188,000	$188,000
DEPARTMENT OF HUMAN SERVICES TOTAL	$1,191,509	$1,091,509
PUBLIC SAFETY, DEPARTMENT OF		
Criminal Justice Academy		
Personal Services	$30,000	
All Other	36,514	
TOTAL	$66,514	
Drug Trafficking Enforcement		
All Other	$39,825	
Anti-drug Abuse Program		
Personal Services	$16,670	
All Other	23,330	
TOTAL	$40,000	
Intergovernmental Drug Enforcement		
All Other	$200,000	

DEPARTMENT OF PUBLIC SAFETY		
TOTAL	$346,339	
PART F		
TOTAL	$1,713,150	$1,151,509

Sec. 2. Additional funds. Any additional funds that might become available due to implementation of the block grants and the possible overlapping of other grants shall be carried forward for future allocation by the Legislature or may be used to offset any possible reductions in the block grants.

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

Sec. 4. Encumbered balances at year end. At the end of each fiscal year, all encumbered balances shall not be carried more than once, except that encumbered balances in the Community Development Block Grant may be carried twice and encumbered balances of grant awards for capital construction projects may carry until the completion of the project, provided that the construction was started prior to the end of the year for which the allocation was made.

Sec. 5. Transfer of Anti-Drug Abuse Act of 1986 - Block Grant Funds. The Department of Public Safety is hereby authorized to transfer such portions of Anti-Drug Abuse Act 1986 - Block Grant Funds to other state departments as may be necessary to meet the State's obligations under the terms of the block grant.

PART G

Sec. 1. Supplemental appropriation from the General Fund. In order to conform to actually assigned duties and established position classifications within the Department of Educational and Cultural Services, the following sums are appropriated from the General Fund for the fiscal years ending June 30, 1990, and June 30, 1991.

	1989-90	1990-91
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Curriculum - Education		
Personal Services	$562	$562
Provides funds to cover the net cost of transferring one Clerk Typist III from Education Curriculum to Administrative Services and one Clerk Steno III from Administrative Services to Education Curriculum in order to conform to assigned duties and established classifications.		

Sec. 2. Adjustment of Federal Expenditure funds allocations. In order to conform to actually assigned duties and assigned position classifications within the Department of Educational and Cultural Services, the following adjustments to allocations of the Federal Expenditure funds for the fiscal years ending June 30, 1990, and June 30, 1991, are effected.

	1989-90	1990-91
EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF		
Administrative Services - Education		
Personal Services	($562)	($562)
Adjusts allocation to reflect the net savings from transferring one Clerk Typist III from Education Curriculum to Administrative Services and one Clerk Steno III from Administrative Services to Education Curriculum in order to conform to assigned duties and established classifications.		
PART G		
TOTAL	$-0-	$-0-

PART H

5 MRSA §1876, sub-§1, ¶J, as amended by PL 1987, c. 402, Pt. B, §3, is repealed.

PART I

General purpose aid. Effective July 1, 1989, all funds in excess of $1,000,000 remaining in the School Construction Aid account within the General Purpose Aid for Local Schools program of the Department of Educational and Cultural Services shall be transferred to the General Fund. Any balance remaining in the account on June 30, 1990, shall be transferred to the General Fund.

PART J

Sec. 1. 5 MRSA §1816, sub-§2, ¶A, as amended by PL 1987, c. 737, Pt. C, §§7 and 106, is further amended to read:

A. The procurement of services, supplies, materials and equipment required involves the expenditure of less than ~~$250 or~~ $1,000 and $1,000 or less for purchases by county commissioners pursuant to Title 30-A, section 124, and the interests of the State would best be served thereby;

Sec. 2. 5 MRSA §1816, sub-§2, ¶C, as amended by PL 1983, c. 194, §1, is further amended to read:

C. After reasonable investigation by the State Purchasing Agent, it appears that any required unit or item of supply, or brand of such unit or item, is procurable by the State from only one source; ~~or~~

Sec. 3. 5 MRSA §1816, sub-§2, ¶D, as enacted by PL 1983, c. 194, §2, is amended to read:

D. It appears to be in the best interest of the State to negotiate for the procurement of petroleum products. ; or

Sec. 4. 5 MRSA §1816, sub-§2, ¶E is enacted to read:

E. The purchase is part of a cooperative project between the State and the University of Maine System involving:

(1) An activity assisting a state agency and enhancing the ability of the university to fulfill its mission of teaching, research and public service; and

(2) A sharing of project responsibilities and, when appropriate, costs.

Sec. 5. 5 MRSA §1816, sub-§2-A is enacted to read:

2-A. Report. The State Purchasing Agent shall submit by January 15th each year a report concerning any waivers from the competitive bidding provisions established in subsection 2, paragraph E.

PART K

Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1989-90	1990-91
PUBLIC SAFETY, DEPARTMENT OF		
Public Safety - Office of State Fire Marshal		
All Other	$175,000	$175,000
Provides additional funds for anticipated expenses of the Fire Training and Education Programs in the State.		

PART L

Sec. 1. 4 MRSA §951, as amended by PL 1981, c. 456, Pt. A, §7, is further amended to read:

§951. Seal; authority to administer oaths

A notary public ~~may~~ shall constantly keep a seal of office, whereon is engraven ~~his~~ the notary public's name and the words "Notary Public" and "Maine" or its abbreviation "Me.," with the arms of state or such other device as ~~he~~ the notary public chooses. When authorized by the laws of this State or of any other state or country to do any official act, ~~he~~ the notary public may administer any oath necessary to the completion or validity thereof.

Sec. 2. 5 MRSA §86, 2nd ¶, as amended by PL 1973, c. 730, §1, is further amended to read:

For a certificate under the seal of the State, ~~$1~~ $5 for a short form and ~~$5~~ $10 for a special detailed certificate; and for all copies at the rate of 75¢ a page if such copies are prepared by the office of the Secretary of State and at the rate of $1 a page for proofreading such copies submitted to the office of the Secretary of State for certification. There shall be no charge for certificates or copies requested by any department of the State. The Secretary of State may also reduce the fee for other governmental bodies.

Sec. 3. 5 MRSA §87, as amended by PL 1981, c. 456, Pt. A, §16, is further amended to read:

§87. Fees payable by public officers

A fee of ~~$10~~ $25 shall be paid to the Secretary of State by any person appointed to the office of notary public, commissioner to take depositions and disclosures, disclosure commissioner and commissioner appointed under Title 33, section 251, before the person enters upon the discharge of ~~his~~ official duties.

Sec. 4. 5 MRSA §95, first ¶, as enacted by PL 1973, c. 625, §16, is amended to read:

The State Archivist shall have, upon consent of the Secretary of State, the duties and powers established under the following provisions governing the creation, use, maintenance, retention, preservation and disposal of state records:

Sec. 5. 11 MRSA §9-403, sub-§(5), as amended by PL 1981, c. 279, §1, is further amended to read:

(5) The fee for filing, indexing and furnishing filing data for an original financing statement shall be ~~$5~~ $10, except that a register of deeds shall receive a filing fee of ~~$6~~ $11 for the first record page and $2 for each additional record page. The fee for filing, indexing and furnishing filing data for a continuation statement or any amendment to a financing statement or to a continuation statement shall be ~~$3~~ $10, except that a register of deeds shall receive a filing fee of ~~$6~~ $11 for the first record page and $2 for each additional record page.

Sec. 6. 11 MRSA §9-407, sub-§(2), as amended by PL 1981, c. 279, §4, is further amended to read:

(2) Upon the written request of any person, the filing officer shall issue ~~his~~ a certificate of information, in such form as the Secretary of State may approve, showing whether there is on file on the date and hour stated therein any presently effective financing statement naming a particular debtor and any statement of assignment thereof and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. The uniform fee for a certificate shall be ~~$5~~ $10 for the first page of that certificate, plus 50¢ for each additional page. Upon request the filing officer shall furnish a copy of any filed financing statement, continuation statement, termina-

tion statement, statement of assignment or statement of release for a fee of ~~$1~~ $2 and if any such statement consists of more than 3 pages, an additional fee of 40¢ for the 4th and each succeeding page.

Notwithstanding this subsection, if the filing officer is a municipal clerk or a register of deeds, ~~his~~ issuance of the certificate of information is discretionary.

Upon reasonable request and within the existing ability of the office of the Secretary of State to respond, the filing officer shall furnish to any municipal clerk, without charge and for municipal purposes only, a copy of any filed financing statement, continuation statement, termination statement, statement of assignment or statement of release.

Sec. 7. 13-A MRSA §104, sub-§1, ¶A, as enacted by PL 1971, c. 439, §1, is amended to read:

A. In the case of articles of incorporation, by the incorporator or incorporators~~:~~;

Sec. 8. 13-A MRSA §104, sub-§1, ¶B, as amended by PL 1971, c. 565, §9, is further amended to read:

B. In the case of other documents:

(1) By the clerk; or

(2) By the president or a vice-president, and by the secretary or an assistant secretary or such other officer as the bylaws may designate as a second certifying officer; or

(3) If there are no such officers, then by a majority of the directors or by such directors as may be designated by a majority of directors then in office; or

(4) If there are no such directors, then by the holders, or such of them as may be designated by the holders, of record of a majority of all outstanding shares entitled to vote thereon; or

(5) By the holders of all of the outstanding shares of the corporation~~:~~; and

Sec. 9. 13-A MRSA §104, sub-§1, ¶C is enacted to read:

C. In the case of annual reports, as provided in section 1301, subsection 3.

Sec. 10. 13-A MRSA §106, sub-§1, ¶D, as enacted by PL 1971, c. 439, §1, is amended to read:

D. Upon delivery of the document and upon tender of the required fees, if ~~he~~ the Secretary of State finds that the document conforms to the requirements of rules promulgated in accordance with this Act, the Secretary of State shall certify that the document has been filed in ~~his~~ the Secretary of State's office by endorsing thereon the word "filed" and the day, month and year thereof, and by signing or initialing such endorsement in person or by agent; if the person delivering the document for filing so requests, such endorsement shall further include the hour and minute of the filing of the document. Such endorsement shall be known as the "filing date" of the document, and shall be conclusive of the date, and the time if included in the endorsement, of filing in the absence of actual fraud. An identifying mark may be used in lieu of signing or initialing. The filing date shall be the date first received unless otherwise specified by law or rule. The Secretary of State shall thereafter file and index the original~~:~~;

Sec. 11. 13-A MRSA §106, sub-§1, ¶¶G and H are enacted to read:

G. The Secretary of State may promulgate rules permitting the filing of documents by electronic transmission and permitting facsimile signatures on documents to be filed; and

H. The Secretary of State's duty to file documents under this section is ministerial. The Secretary of State's filing or refusing to file a document does not, except as otherwise provided by law or rule:

(1) Affect the validity or invalidity of the document in whole or part;

(2) Relate to the correctness or incorrectness of information contained in the document; or

(3) Create a presumption that the document is valid or invalid or that the information contained in the document is correct or incorrect.

Sec. 12. 13-A MRSA §301, sub-§1, as amended by PL 1983, c. 86, §1, is further amended to read:

1. The corporate name:

A. Shall not contain any word or phrase which indicates or implies that it is organized for any purpose for which a corporation may not be organized under this Act;

B. Shall not be the same as, or deceptively similar to, the name of any domestic corporation existing under the laws of this State or any foreign corporation authorized to transact business or to carry on activities in this State, or a name the exclusive right to which is, at the time, reserved in the manner provided in this Act, or in Title 13-B, section 302, or the name of a corporation which has in effect a registration of its corporate name as provided in this Act, or in Title 13-B, section 303, or the assumed name of a corporation as provided for in section 307, or in Title 13-B, section 308, unless the other corporation executes and files with the Secretary of State as provided in sections 104 and 106 proof of a resolution of its board

of directors authorizing the use of a similar name by the corporation seeking to use the similar name, or unless the corporation seeking to file under a similar or identical name executes and files with the Secretary of State, as provided in sections 104 and 106, proof of a resolution of its board of directors that it will not do business under that similar or identical name, but instead will do business under an assumed name, as provided for in section 307, which is not identical or similar to any corporate name or any reserved name, registered name or assumed name, or any mark registered under Title 10, chapter 301-A; and

C. Shall not be the same as, or deceptively similar to, any trade mark or service mark registered under Title 10, chapter 301-A.

The Secretary of State may promulgate rules setting forth criteria to define "deceptively similar."

Sec. 13. 13-A MRSA §301, sub-§3, as amended by PL 1987, c. 879, §1, is further amended to read:

3. Subsection 1, paragraph B shall not apply to the name or assumed name, as provided for in section 307 of any corporation which has been excused from filing annual returns, on and after the 5th anniversary of such excuse, nor to the name of any ~~domestic or foreign~~ corporation the charter of which is suspended, on and after the 3rd anniversary of such suspension. When an excused or suspended corporation votes to resume business, it shall change its corporate name if another corporation has adopted its old name or if the old name, if proposed for a new corporation, would otherwise violate subsection 1, paragraph B.

~~Any foreign corporation excused under this chapter which seeks to resume business under its corporate name shall follow the procedure as required in section 1301, subsections 4 and 5.~~

Sec. 14. 13-A MRSA §301, sub-§6 is enacted to read:

6. To assist the public in determining the availability of a corporate name, the Secretary of State may make available to the public a name search service. Name searches conducted by the Secretary of State shall be preliminary in nature and shall not reserve or register a corporate name nor assure the availability of a corporate name.

Sec. 15. 13-A MRSA §308, last ¶, as amended by PL 1987, c. 879, §2, is further amended to read:

The Secretary of State shall use the procedures set forth in section 1210 relative to ~~suspending~~ revoking the right of foreign corporations to do business in this State for suspending domestic corporations. A corporation which has been suspended under this section may be reinstated by filing the proper notification of change of clerk or registered office or both with the Secretary of State and paying a penalty of $25.

Sec. 16. 13-A MRSA §405, sub-§1, as enacted by PL 1971, c. 439, §1, is amended to read:

1. When the articles of incorporation are delivered for filing by the Secretary of State, ~~he~~ the Secretary of State shall, before filing them, determine that the articles:

A. Comply with the requirements of sections 104 and 106;

B. Set forth the information required by section 403; and

C. Do not adopt as the name of the corporation a name which is in violation of section 301~~; and~~ .

~~D. Appear in all other respects to conform to the requirements of this Act and to law.~~

Sec. 17. 13-A MRSA §1203, sub-§2, as amended by PL 1987, c. 879, §3, is further amended to read:

2. Such authority shall continue so long as the corporation retains its authority to do such business in its jurisdiction of incorporation, and so long as its authority to do business in this State has not been ~~suspended~~ revoked or otherwise terminated as provided in this chapter.

Sec. 18. 13-A MRSA §1204, as amended by PL 1987, c. 879, §4, is further amended to read:

§1204. Powers of foreign corporation

A foreign corporation authorized to do business in this State, shall, until such authority is ~~suspended~~ revoked or otherwise terminated, have the same, but no greater, powers, rights and privileges as a domestic corporation organized under or otherwise pursuant to this Act; and, except as otherwise provided in this Act, shall be subject to the same duties, restrictions, liabilities and penalties now or hereafter imposed upon a domestic corporation of like character.

Sec. 19. 13-A MRSA §1210, as amended by PL 1987, c. 879, §5, is further amended to read:

§1210. Revocation of foreign corporation's authority to do business in State

1. Notwithstanding Title 4, chapter 25, and Title 5, chapter 375, the authority of a foreign corporation to do business in this State may be ~~suspended~~ revoked by the Secretary of State, as provided by subsections 2 and 3 when:

A. The corporation has failed to file its annual report within the time specified by this Act or has failed to pay any fees, franchise taxes or penalties prescribed by this Act when they have become due and payable; or

B. The corporation has failed to appoint and maintain a registered agent in this State as required by section 1212; or

C. The corporation has failed, after change of its registered office or registered agent, to file in the office of the Secretary of State a statement of such change as required by section 1212; or

D. The corporation has failed to file in the office of the Secretary of State within the required time any articles of merger as required by section 1206 or amended application for authority as required by section 1207; or

E. A misrepresentation has been made of a material fact in any application, report, affidavit or other document required by this Act.

2. The authority of a foreign corporation shall be ~~suspended~~ revoked only after the Secretary of State shall have mailed to the corporation's last registered office in this State and to its last registered or principal office in its jurisdiction of incorporation at least ~~60~~ 30 days' notice of impending ~~suspension~~ revocation of its authority to do business in this State, including a specification of the default, and the corporation shall fail, prior to ~~suspension~~ revocation, to remove the ground of default specified in such notice.

3. After the expiration of the ~~60-day~~ 30-day period, if the foreign corporation has not cured the default or, as to the ground for ~~suspension~~ revocation specified in subsection 1, paragraph E, convinced the Secretary of State, by affidavit or otherwise, that there was no such misrepresentation, the Secretary of State shall issue and file ~~his~~ a certificate ~~suspending~~ revoking the foreign corporation's authority to do business in this State, and shall mail copies thereof to the corporation's last registered office in this State and to its last registered or principal office in its jurisdiction of incorporation.

4. Such action of the Secretary of State in ~~suspending~~ revoking the authority of a foreign corporation is appealable to the Superior Court in Kennebec County; such appeals shall be governed by Rule 80B of the Rules of Civil Procedure, or by such amendment or replacement therefor as may from time to time be adopted.

5. The authority of the corporation to do business in this State shall cease as of the date of filing of the certificate of ~~suspension~~ revocation, unless on appeal such effective date is stayed by the court.

Sec. 20. 13-A MRSA §1212, sub-§3, as enacted by PL 1971, c. 439, §1, is amended to read:

3. Any registered agent of a foreign corporation may resign as such agent by filing a written notice of resignation with the Secretary of State, in duplicate. The Secretary of State shall forthwith mail a copy thereof to the corporation at its last registered or principal office in its jurisdiction of incorporation, as filed with the Secretary of State. The appointment of such agent shall terminate ~~30 days after~~ upon the date of the filing of such notice by the Secretary of State.

Sec. 21. 13-A MRSA §1212, sub-§7, as amended by PL 1987, c. 879, §6, is further amended to read:

7. Whenever a foreign corporation authorized to do business in this State shall fail to appoint or maintain a registered agent in this State, or whenever any such registered agent cannot with reasonable diligence be found at the registered office, or whenever the certificate of authority of a foreign corporation shall be ~~suspended~~ revoked, then the Secretary of State shall be an agent of such corporation upon whom any such process, notice or demand may be served. Service of the Secretary of State of any such process, notice or demand shall be made as provided in section 1217.

Sec. 22. 13-A MRSA §1301, sub-§1, as amended by PL 1977, c. 130, §§20 and 21, is further amended to read:

1. Each domestic corporation, unless excused as provided in subsection 4 or excluded by subsection 6, and each foreign corporation authorized to do business in this State, shall file, within the time prescribed by this Act, an annual report setting forth:

A. The name of the corporation and the jurisdiction of its incorporation;

B. The address of the registered office of the corporation in this State, and the name of its clerk if a domestic corporation, or its registered agent if a foreign corporation, in this State at such address including the street or rural route number, town or city, county and state; and, in the case of a foreign corporation, the address of its registered or principal office in its jurisdiction of incorporation;

C. A brief statement of the character of the business in which the corporation is actually engaged in this State, if any; and

D. The name and business or residence address of each director and officer of the corporation, including the street or rural route number, town or city, and state; .

~~E. A statement of the aggregate number of authorized shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class, and summarized to show the aggregate par value of shares with par value and the aggregate number of shares without par value which the corporation has authority to issue;~~

~~F. The date of the last annual meeting of shareholders to elect directors of the corporation.~~

Sec. 23. 13-A MRSA §1301, sub-§3, as repealed and replaced by PL 1987, c. 879, §8, is amended to read:

3. The annual report must be executed as provided by section 104, except that signing by any one of the president, a vice-president, the secretary, the treasurer or an assistant secretary or any other duly authorized individual, without a 2nd signature, shall be deemed valid under section

104, subsection 1, paragraph B, subparagraph (2). Subject to rules adopted under section 1303, subsection 4, the report shall be delivered to the Secretary of State or designee for filing. The annual reports shall be delivered to the Secretary of State on a staggered basis as defined by the Secretary of State by rule in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375. The report shall apply to the 12-month period specified by the Secretary of State. Proof to the satisfaction of the Secretary of State that, prior to the date that penalties become effective for late delivery of annual reports as established by the Secretary of State by rule, the report was deposited in the United States mail in a sealed envelope, properly addressed, with postage prepaid, shall be deemed a compliance with this requirement. One copy of the report, together with the filing fee required by this Act, shall be delivered for filing to the Secretary of State who shall file the report, if the Secretary of State finds that it conforms to the requirements of this Act. If the Secretary of State finds that it does not so conform, the Secretary of State shall promptly mail or otherwise return the same to the corporation for any necessary corrections, in which event the penalties prescribed by this Act for failure to file such report within the time herein provided shall not apply, if such report is corrected to conform to the requirements of this Act and returned to the Secretary of State within 30 days from the date on which it was so mailed or otherwise returned to the corporation by the Secretary of State.

Sec. 24. 13-A MRSA §1301, sub-§4, as amended by PL 1987, c. 879, §9, is further amended to read:

4. The Secretary of State, upon application by any ~~domestic or foreign~~ corporation and satisfactory proof that it has ceased to transact business and that it is not indebted to the State on account of franchise taxes, shall file a certificate of the fact in ~~his~~ the Secretary of State's office and shall give a duplicate certificate to the corporation. Thereupon such corporation shall be excused from filing annual reports with the Secretary of State, so long as the corporation in fact transacts no business.

Sec. 25. 13-A MRSA §1301, sub-§5, as amended by PL 1987, c. 879, §10, is further amended to read:

5. The shareholders of a ~~domestic or foreign~~ corporation which has been excused pursuant to subsection 4 may vote to resume transacting business at a meeting duly called and held for such purpose. A certificate executed and filed as provided in sections 104 and 106 setting forth that a shareholders' meeting was held, the date and location of same, and that a majority of the shareholders voted to resume transacting business shall authorize such corporation to transact business; and after such certificate is filed, it shall be required to file annual reports.

Sec. 26. 13-A MRSA §1302, sub-§1, as amended by PL 1987, c. 879, §11, is further amended to read:

1. Any corporation required to file an annual report as provided by section 1301 which fails to deliver its annual report for filing by the date specified in the provisions of section 1301 shall pay to the Secretary of State, in addition to the regular annual report fee, the sum of $25 for each month, or portion thereof following the month required for delivery, the report is not filed. In no case may this penalty exceed $300, regardless of the number of delinquent reports or the period of delinquency. Upon failure to file an annual report and to pay the annual report fee or the penalty, the Secretary of State, notwithstanding Title 4, chapter 25, and Title 5, chapter 375, shall ~~suspend~~ revoke a foreign corporation's authority to do business in this State and suspend a domestic corporation from doing business. The Secretary of State shall use the procedures set forth in section 1210, relative to ~~suspending~~ revoking the right of foreign corporations to do business in this State, for suspending domestic corporations. A foreign corporation whose authority to do business in this State has been revoked ~~suspended from doing business~~ under this subsection and which wishes to do business again in this State must be authorized as provided in section 1202. A domestic corporation which has been suspended under this subsection may be reinstated by filing the current annual report and by paying the penalty accrued.

Sec. 27. 13-A MRSA §1401, as amended by PL 1987, c. 561, §4 and c. 565, is further amended to read:

§1401. Fees for filing documents and services

In addition to any fees required by sections 1402 and 1403, the Secretary of State shall charge the following fees for filing documents required or permitted to be filed in ~~his~~ the Secretary of State's office by this Act, and for services specified herein:

1. Proof of a resolution of a corporation's board of directors authorizing the use of a similar name by a new corporation, as provided by section 301, subsection 1, paragraph B, ~~$10~~ $20;

2. Application to reserve corporate name, as provided by section 302, ~~$10~~ $20;

3. Notice of transfer of a reserved corporate name, as provided by section 302, ~~$10~~ $20;

4. Application to register corporate name as provided by section 303, ~~$10~~ $20 per month for the number of months or fraction thereof remaining in the calendar year when first filed;

5. Application to renew the registration of a registered name, as provided by section 303, ~~$100~~ $155;

6. A statement changing the clerk of a corporation, as provided by section 304, subsection 3 or 5, ~~$10~~ $20;

7. Notice of resignation of a clerk of a corporation, as provided by section 304, subsection 4, ~~$10~~ $20;

8. Statement of change of registered office, as provided by section 304, subsection 6, ~~$10~~ $20 for each corporation listed; or when separate statements are filed at one time, ~~$10~~ $20 for each separate statement up to but not exceeding 100 statements, $5 for each separate statement over 100 but not exceeding 200 statements, and $2 for each separate statement over 200 statements;

9. Accompanying service of process upon the Secretary of State as agent of a domestic corporation, as provided by section 305, or accompanying service of process upon the Secretary of State as agent of nonresident director of a domestic corporation, as provided by section 306, or accompanying service of process upon the Secretary of State as agent of a foreign corporation pursuant to section 1217, ~~$10~~ $20 for each such process;

10. Notice of resignation of a nonresident director, as provided by section 306, subsection 4, ~~$10~~ $20;

11. Assumed name statement, as provided by section 307, ~~$75~~ $105;

12. Articles of incorporation, as provided by section 402, $75, plus the fee based on the capital stock specified in section 1403;

13. Statement of a director's resolution establishing and designating series and fixing and determining the relative rights and preferences thereof, as provided by section 503, ~~$10~~ $20;

14. Statement of cancellation of redeemable shares, as provided by section 520, or statement of cancellation of other reacquired shares, as provided by section 521, ~~$10~~ $20;

15. Articles of amendment, as provided by section 803, 805 or 810, ~~$15~~ $35; and if the amendment increases the total authorized capital stock, the additional amount specified in section 1403, subsection 3, but not less than an additional ~~$15~~ $35; and if it changes the corporation's purposes, a further additional amount of $20;

16. Restated articles of incorporation, as provided by section 809, ~~$50~~ $80; if the restated articles include an amendment which effects an increase in the total authorized capital stock, the additional amount specified in section 1403, subsection 3, but not less than an additional ~~$15~~ $35; and if they change the purposes of the corporation, a further additional amount of $20;

17. Articles of merger or consolidation pursuant to shareholder approval, as provided by section 903, ~~$50~~ $80; and if the merger or consolidation increases the total authorized capital stock, the additional amount specified in section 1403, subsection 4, but not less than an additional ~~$15~~ $35; and if it changes the corporation's purposes, a further additional amount of $20;

18. Articles of merger of subsidiary into parent without shareholder approval, as provided by section 904, ~~$50~~ $80;

19. Articles of merger or consolidation of domestic and foreign corporations, as provided by section 906, ~~$50~~ $80, if the new or surviving corporation is a foreign corporation, plus the appropriate fee for authority to do business in this State, if not previously so authorized; if the new or surviving corporation is a domestic corporation, the same sum as would be required for the merger or consolidation of domestic corporations;

20. Document required by section 906, subsection 4, paragraph B in the event that the surviving or new corporation is a foreign corporation, no fee in addition to that specified in the preceding subsection;

21. Articles of dissolution, as provided by section 1101 or 1110, ~~$20~~ $35;

22. Statement of intent to dissolve as provided by section 1102 or 1103, ~~$10~~ $20;

23. Statement of revocation of voluntary dissolution proceedings, as provided by section 1107 or 1108, ~~$10~~ $20;

24. Application of a foreign corporation for authority to do business in the State, as provided by section 1202, ~~$100~~ $180;

26. Articles of merger of a foreign corporation, as provided by section 1206, ~~$25~~ $35;

27. An amendment to a foreign corporation's application for authority to do business in this State as provided by section 1207, ~~$15~~ $35;

28. An application of a foreign corporation for surrender of its authority, as provided by section 1208, ~~$15~~ $35;

29. Statement of a foreign corporation's termination of existence, as provided by section 1209, ~~$15~~ $35;

30. Annual report of a domestic or foreign corporation, as provided by section 1301, ~~$40~~ $60;

31. A certificate of resumption of business, as provided by section 1301, subsection 5, ~~$50~~ $80;

32. For issuing a short form certificate of change of name or of consolidation or merger, as provided by section 1307, ~~$10~~ $25 per certificate. For issuing a short form certificate of corporate condition ~~$10~~ $25 per certificate. For issuing a long form certificate of corporate condition, listing amendments, ~~$20~~ $35 per certificate for a diligent search, ~~$25~~ $45;

33. Statement of change of registered office or registered agent or both, as provided by section 1212, subsection 2, ~~$10~~ $20;

34. Statement of change of address of registered agent, as provided by section 1212, subsection 2-A, ~~$10~~ $20 for each foreign corporation listed; or when separate statements are filed at one time, ~~$10~~ $20 for each separate statement up to but not exceeding 100 statements, $5 for each separate statement over 100 but not exceeding 200 statements, $2 for each separate statement over 200 statements; ~~and~~

35. Any other documents not herein specifically provided for, ~~$10.~~ $20; and

36. Report of name search as provided by section 301, subsection 6, $10.

Sec. 28. 13-A MRSA §1402, sub-§3, as enacted by PL 1971, c. 439, §1, is amended to read:

3. The Secretary of State shall furnish to any person a copy of any document filed under this Act or retained in file, having been filed under a predecessor to this Act; for locating, copying and certifying a document subsequent to its filing, the Secretary of State shall charge a fee of ~~$1~~ $2 per page. The Secretary of State may reduce the fee for governmental bodies.

Sec. 29. 13-A MRSA §1403, sub-§1, ¶A, as enacted by PL 1971, c. 439, §1, is further amended to read:

A. If the corporation is to have authorized stock having par value:

(1) If the aggregate par value of all authorized stock having par value does not exceed $2,000,000, a fee of ~~$10~~ $30 for each $100,000 or fraction thereof of aggregate par value; or

(2) If the aggregate par value of all authorized stock having par value is more than $2,000,000, but does not exceed $20,000,000, a fee of ~~$200~~ $600 plus ~~$50~~ $150 per million dollars or fraction thereof of aggregate par value in excess of $2,000,000; or

(3) If the aggregate par value of all authorized stock having par value exceeds $20,000,000, a fee of ~~$1,100~~ $3,300 plus ~~$20~~ $70 per million dollars or fraction thereof of aggregate par value in excess of $20,000,000; and

Sec. 30. 13-A MRSA §1403, sub-§1, ¶B, as repealed and replaced by PL 1981, c. 583, is repealed and the following enacted in its place:

B. If the corporation is to have authorized stock without par value:

(1) If there are authorized not over 20,000 shares without par value, a fee of one cent per share without par value, but not less than $30; or

(2) If there are authorized more than 20,000 shares without par value but not more than 2,000,000, a fee of $200 plus 1/2 cent per authorized share without par value in excess of 20,000; or

(3) If there are authorized more than 2,000,000 shares without par value, a fee of $10,200 plus 1/4 cent per authorized share without par value in excess of 2,000,000;

Sec. 31. 13-A MRSA §1403-A is enacted to read:

§1403-A. Expedited service

The Secretary of State may provide an expedited service for the processing of documents in accordance with this Act. A fee schedule shall be established and rules promulgated to set forth the procedures governing this expedited service.

Sec. 32. 13-A MRSA §1404, as enacted by PL 1971, c. 439, §1, is amended to read:

§1404. Remittance to Treasurer of State

All fees collected as provided by this chapter shall be remitted to the Treasurer of State for the use of the State with the exception of those fees collected under section 1403-A which shall be deposited into a fund for use by the Secretary of State in providing an improved filing service.

Sec. 33. 13-B MRSA §104, sub-§1, ¶B, as enacted by PL 1977, c. 525, §13, is amended to read:

B. In the case of other documents:

(1) By the clerk or secretary;

(2) By the president or a vice-president and by the secretary or an assistant secretary, or such other officer as the bylaws may designate as a 2nd certifying officer;

(3) If there are no such officers, then by a majority of the directors or by such directors as may be designated by a majority of directors then in office; or

(4) If there are no such directors, then by the members or such of them as may be designated by the members at a lawful meeting.; or

Sec. 34. 13-B MRSA §104, sub-§1, ¶C is enacted to read:

C. In the case of annual reports, as provided in section 1301, subsection 3;

Sec. 35. 13-B MRSA §106, sub-§1, ¶D, as enacted by PL 1977, c. 525, §13, is amended to read:

D. Upon delivery of the document and upon tender of the required fees, if the Secretary of State finds that the document conforms to the requirements of rules promulgated in accordance with this Act, ~~he~~ the Secretary of State shall certify that the document has been filed in ~~his~~ the Secretary of State's office by endorsing thereon the word "filed" and the day, month and year thereof, and by signing or initialing such endorsement in person or by agent; if the person delivering the document for filing so requests, such endorsement shall further include the hour and minute of the filing of the document. Such endorsement shall be known as the "filing date" of the document and shall be conclusive of the date, and the

time if included in the endorsement, of filing in the absence of actual fraud. An identifying mark may be used in lieu of signing or initialing. The filing date shall be the date first received unless otherwise specified by law or rule. The Secretary of State shall thereafter file and index the original;

Sec. 36. 13-B MRSA §106, sub-§§5 and 6 are enacted to read:

5. Rulemaking. The Secretary of State may promulgate rules permitting the filing of documents by electronic transmission and permitting facsimile signatures on documents to be filed; and

6. Document filing. The Secretary of State's duty to file documents under this section is ministerial. The Secretary of State's filing or refusing to file a document does not, except as otherwise provided by law or rule:

A. Affect the validity or invalidity of the document in whole or part;

B. Relate to the correctness or incorrectness of information contained in the document; or

C. Create a presumption that the document is valid or invalid or that the information contained in the document is correct or incorrect.

Sec. 37. 13-B MRSA §301, sub-§1, as amended by PL 1983, c. 86, §3, is further amended to read:

1. Name. The corporate name:

A. Shall not contain any word or phrase which indicates or implies that it is organized for any purpose for which a corporation may not be organized under this Act;

B. Shall not be the same as, or deceptively similar to, the name of any domestic business or nonprofit corporation existing under the laws of this State or any foreign corporation authorized to transact business or nonprofit corporation authorized to carry on activities in this State, or a name the exclusive right to which is, at the time, reserved in the manner provided in this Act, or in Title 13-A, section 302, or the name of a business or nonprofit corporation which has in effect a registration of its corporate name, or the assumed name of a business corporation as provided for in Title 13-A, section 307, or of a nonprofit corporation as provided in section 308, unless the other corporation executes and files with the Secretary of State proof of a resolution of its board of directors authorizing the use of a similar name by the corporation seeking to use that similar name; ~~and~~

C. Shall not be the same as, or deceptively similar to, any mark registered under Title 10, chapter 301-A; and

D. Shall not be the same as, or deceptively similar to, the name of any department, bureau or other agency of the State.

The Secretary of State may promulgate rules setting forth criteria to define "deceptively similar."

Sec. 38. 13-B MRSA §301, sub-§5 is enacted to read:

5. Name search service. To assist the public in determining the availability of a corporate name, the Secretary of State may make available to the public a name search service. Name searches conducted by the Secretary of State shall be preliminary in nature and shall not reserve or register a corporate name nor assure the availability of a corporate name.

Sec. 39. 13-B MRSA §305, sub-§4 is enacted to read:

4. Suspension. The Secretary of State shall suspend the authority of a nonprofit corporation if:

A. The corporation has failed to appoint and maintain a registered agent in this State as required by section 304; or

B. The corporation has failed, after change of its registered office or registered agent, to file in the office of the Secretary of State a statement of that change as required by this section.

A corporation which has been suspended under this subsection may be reinstated by filing the proper notification of change of agent or registered office or both with the Secretary of State and paying a penalty of $10.

Sec. 40. 13-B MRSA §404, sub-§1, as enacted by PL 1977, c. 525, §13, is amended to read:

1. Filing. When the articles of incorporation are delivered for filing by the Secretary of State, ~~he~~ the Secretary of State shall, before filing them, determine that the articles:

A. Comply with the requirements of sections 104 and 106;

B. Set forth the information required by sections 402 and 403; and

C. Do not adopt as the name of the corporation a name which is in violation of section 301; ~~and~~ .

~~D. Appear in all other respects to conform to the requirements of this Act and to law.~~

Sec. 41. 13-B MRSA §1210, sub-§§2 and 3, as enacted by PL 1977, c. 525, §13, are amended to read:

2. Secretary of State to mail revocation of authority. The authority of a foreign corporation shall be revoked only after the Secretary of State shall have mailed to the

corporation's last registered office in this State and to its last registered or principal office in its jurisdiction of incorporation at least ~~60~~ 30 days' notice of impending revocation of its authority to carry on activities in this State, including a specification of the default, and the corporation shall fail, prior to revocation, to cure the default specified in such notice.

3. Certificate revoked. After the expiration of the ~~60-day~~ 30-day period, if the foreign corporation has not cured the default or, as to the ground for revocation specified in subsection 1, paragraph E, convinced the Secretary of State, by affidavit or otherwise, that there was no such misrepresentation, the Secretary of State shall issue and file ~~his~~ a certificate revoking the foreign corporation's authority to carry on activities in this State, and shall mail copies thereof to the corporation's last registered office in this State and to its last registered or principal office in its jurisdiction of incorporation.

Sec. 42. 13-B MRSA §1212, sub-§3, as enacted by PL 1977, c. 525, §13, is amended to read:

3. Written notice of resignation. Any registered agent of a foreign corporation may resign as ~~such~~ an agent by filing a written notice of resignation with the Secretary of State, and by mailing a copy ~~thereof~~ of the notice to the corporation at its last registered or principal office in its jurisdiction of incorporation, as filed with the Secretary of State. The appointment of ~~such~~ an agent shall terminate ~~30 days after~~ upon the date of the filing of ~~such~~ the notice by the Secretary of State.

Sec. 43. 13-B MRSA §1301, sub-§3, as enacted by PL 1977, c. 525, §13, is amended to read:

3. Execution. The biennial report shall be executed as provided by section 104, except that signing by any one of the president, a vice-president, the secretary, the treasurer ~~or~~, an assistant secretary, or any other duly authorized individual, without a 2nd signature, shall be deemed valid under section 104, subsection 1, paragraph B, subparagraph (2).

Sec. 44. 13-B MRSA §1401, sub-§28, as enacted by PL 1979, c. 127, §110, is amended to read:

28. Other documents. Any other documents not herein specifically provided for, $5; ~~and~~

Sec. 45. 13-B MRSA §1401, sub-§29, as enacted by PL 1979, c. 127, §111, is amended to read:

29. Statement of change. Statement of change in registered office or agent, as provided in section 1212, subsection 2, $5 for each foreign corporation listed; or when separate statement are filed at one time, $5 for each separate statement up to but not exceeding 100 statements, $2 for each separate statement over 100 but not exceeding 200 statements, $1 for each statement over 200 statements. ; and

Sec. 46. 13-B MRSA §1401, sub-§30 is enacted to read:

30. Report of name search. Report of name search as provided by section 301, subsection 5, $10.

Sec. 47. 13-B MRSA §1402, sub-§1, as enacted by PL 1977, c. 525, §13, is amended to read:

1. Secretary of State to furnish copies. The Secretary of State shall furnish to any person a copy of any document filed under this Act or retained in file, having been filed under a predecessor to this Act; for locating, copying and certifying a document subsequent to its filing, the Secretary of State shall charge a fee of ~~$1~~ $2 per page. The Secretary of State may reduce the fee for governmental bodies.

Sec. 48. 31 MRSA §152, sub-§1, ¶B, as amended by PL 1977, c. 319, §1, is further amended to read:

B. File for record the certificate in the office of the Secretary of State. The fee for filing said certificate shall be ~~$25~~ $105.

Sec. 49. 31 MRSA §175, sub-§5, ¶B, as amended by PL 1977, c. 319, §2, is further amended to read:

B. A certified copy of the order of court in accordance with subsection 4.

The fee for filing said certificate shall be ~~$25~~ $155.

Sec. 50. 31 MRSA §181, sub-§§1 and 2, as enacted by PL 1973, c. 365, are amended to read:

1. Qualification. Any limited partnership heretofore or hereafter formed in accordance with the laws of another state shall be treated as having all of the attributes accorded by the laws of such other state, excepting the right to exercise any powers not exercisable by resident limited partnerships, and shall be qualified to transact business within this State, only after it shall have filed with the Secretary of State an attested copy of its current certificate of limited partnership as amended and filed in the state of its formation, together with a statement on forms prescribed or furnished by the Secretary of State signed and sworn to by a general partner setting forth its business address within this State and the name and address of an individual resident of this State upon whom process against such limited partnership may be served. The filing fee for such certified copy and statement shall be ~~$10~~ $55.

2. Amendments. Any change in such limited partnership or its partners shall be effective within this State only after filing with the Secretary of State an attested copy of its amended certificate of limited partnership, and any change in its business address within this State or its resident agent for service of process shall be effective only after filing with the Secretary of State a certificate of such change signed and sworn to by a general partner, for each of which the filing fee shall be ~~$5~~ $30.

PART M

Allocation. In order to provide for the necessary expenses of operation and administration of the Bureau of

Alcoholic Beverages and the State Liquor Commission, the following amounts are allocated from the revenues derived from operations of the State Alcoholic Beverages Fund for the fiscal years ending June 30, 1990, and June 30, 1991, to carry out the purposes of this Act.

	1989-90	1990-91
FINANCE, DEPARTMENT OF		
Alcoholic Beverages - General Operation		
Personal Services	$845	$845
Provides funds for the reclassification of an Account Clerk I position to an Account Clerk II position as a result of a reorganization of duties.		
DEPARTMENT OF FINANCE TOTAL	$845	$845
PART M TOTAL	$845	$845

PART N

Supplemental appropriations from the General Fund. There are appropriated from the General Fund to the departments listed the following sums:

	1989-90	1990-91
ADMINISTRATION, DEPARTMENT OF		
Office of the Commissioner - Administration		
All Other	($8,000)	($8,000)
Provides for the deappropriation of funds made available by making cost-saving efforts in the operations of the commissioner's office.		
DEPARTMENT OF ADMINISTRATION TOTAL	($8,000)	($8,000)
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Agricultural Production		
All Other	($92,000)	($92,000)
Provides for the deappropriation of funds for the Aroostook Water and Soil Management Fund. An additional $166,000 will be transferred into the General Fund from the dedicated revenue account.		
Marketing Services - Agriculture		
All Other	($46,000)	($46,000)
Provides for the deappropriation of funds for the Agricultural Promotional Assistance Matching Fund and the Agricultural Market Research and Development Fund.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL	($138,000)	($138,000)
CORRECTIONS, DEPARTMENT OF		
Community Based Corrections		
All Other	($1,320,000)	($500,000)
Provides for the deappropriation of funds through the reduction of the amount made available for reimbursement to counties.		
Correctional Program Improvement		
All Other	($200,000)	($200,000)
Provides for the deappropriation of funds made available for the Correctional Improvement Program.		
DEPARTMENT OF CORRECTIONS TOTAL	($1,520,000)	($700,000)
DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF		
Military Training and Operations		
Capital Expenditures	($71,302)	($90,761)
Provides for the deappropriation of funds as a result of cost-saving methods within the department.		
Veterans' Services		
All Other	($24,000)	($28,500)
Provides for the deappropriation of funds as a result of cost-saving methods within the department.		
Military Training and Operations		
All Other	($32,500)	($35,500)
Provides for the deappropriation of funds as a result of cost-saving methods within the department.		
Administration - Maine Emergency Management Agency		
Capital Expenditures	($11,000)	($11,000)
Provides for the deappropriation of funds as a result of cost-saving methods within the department.		
DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL	($138,802)	($165,761)
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF		
Business Development		
All Other	($180,000)	($180,000)

Provides for the deappropriation of funds through the reduction of funds made available for a small business assistance program in conjunction with the University of Southern Maine.

Business Development

All Other	($50,000)	($50,000)

Provides for the deappropriation of funds made available for business attraction programs, related promotional activities and printed materials.

Office of Tourism

All Other	($1,000,000)	($1,000,000)

Provides for the deappropriation of funds made available for regional tourism promotion, promotion of fall and winter seasons, programs to manage tourism growth and various operating expenses.

Job Opportunity Zones

All Other		($330,000)

Provides for the deappropriation of funds made available for the Job Opportunity Zones Program until the results of the sunset evaluation is completed.

Office of Community Development

All Other	($500,000)	($500,000)

Provides for the deappropriation of funds through the reduction of the amount grants made available through the Economic Corridor Action Grant Program.

Division of Development Policy

All Other	($191,000)	($194,000)

Provides for the deappropriation of funds made available for overseas trade shows and trade missions, research, grants, contracts and various operating expenses.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	($1,921,000)	($2,254,000)

EDUCATIONAL AND CULTURAL SERVICES, DEPARTMENT OF

General Purpose Aid for Local Schools

All Other	($751,000)	($696,000)

Provides for the deappropriation of state agency client funds which will not be required for the next biennium.

General Purpose Aid for Local Schools

All Other		($10,000,000)

Provides for the deappropriation of operating and program funds which will not be required for the next biennium.

DEPARTMENT OF EDUCATIONAL AND CULTURAL SERVICES TOTAL	($751,000)	($10,696,000)

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Water Quality Control

Positions		(-1)
Personal Services		($28,322)

Provides for the deappropriation of funds through the deletion of a Biologist I position.

Land Quality Control

Positions		(-1)
Personal Services		($28,322)
All Other		(4,000)
TOTAL		($32,322)

Provides for the deappropriation of funds through the deletion of an Environmental Specialist II position.

Water Quality Control

All Other	($30,000)	($30,000)

Provides for the deappropriation of funds through the reduction of laboratory analysis costs.

Water Pollution Control Training Program

All Other	($17,000)	($17,000)

Provides for the deappropriation of funds through reduced water pollution control training.

Air Quality Control

Capital Expenditures	($12,500)	($12,500)

Provides for the deappropriation of funds through the elimination of capital equipment.

Environmental Impact Studies

Positions	(-1)	(-1)
Personal Services	($21,335)	($28,312)
All Other	($7,000)	($7,000)
TOTAL	($28,335)	($35,312)

Provides for the deappropriation of funds through the elimination of a Geologist position from the Acid Rain Impact Study.

Solid Waste Management

Positions	(-1)	(-1)
Personal Services	($27,377)	($27,377)

Provides for the deappropriation of funds through the elimination of a vacant Assistant Engineer position.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	($115,212)	($182,833)

EXECUTIVE DEPARTMENT

Office of Energy Resources

All Other	($20,000)	($20,000)

Provides for the deappropriation of funds through the elimination of the publication of a quarterly newsletter.

Planning Office

All Other	($15,000)	

Provides for the deappropriation of funds to support professional contract services for field research in natural resource areas.

Administration - Community Services

Positions	(-1)	(-1)
Personal Services	($24,740)	($22,655)

Provides for the deappropriation of funds through the elimination of one position.

EXECUTIVE DEPARTMENT TOTAL	($59,740)	($42,655)

HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers

All Other	($308,000)	($730,000)

Provides for the deappropriation of funds available from the initiation of drug restrictions on recipients and an increase of 25¢ in the copayment for prescription drugs. The department shall continue its current policy of reimbursing pharmacies 95% of the wholesale price for drugs through January 1, 1991. The department shall also review its current reimbursement practices for drugs, including the dispensing fee, develop alternatives to lowering the wholesale price and report its findings and recommendations to the Joint Standing Committee on Appropriations and Financial Affairs by February 15, 1990.

Intermediate Care - Payments to Providers

All Other	($65,000)	($193,000)

Provides for the deappropriation of funds available from the initiation of drug restrictions on recipients. The department shall continue its current policy of reimbursing pharmacies 95% of the wholesale price for drugs through January 1, 1991.

Drugs for Maine's Elderly

All Other	($82,000)	($232,000)

Provides funds for the deappropriation of funds available from the initiation of drug restrictions on recipients. The department shall continue its current policy of reimbursing pharmacies 95% of the wholesale price from drugs through January 1, 1991.

State Supplement to Federal Supplemental Security Income

All Other	($500,000)	

Provides for the deappropriation of funds which will be provided through the use of an unexpended balance in fiscal year 1988-89.

Medical Care - Payments to Providers

All Other	($2,000,000)	

Provides for the deappropriation of funds which will be provided through the use of an unexpended balance in fiscal year 1988-89.

DEPARTMENT OF HUMAN SERVICES TOTAL	($2,955,000)	($1,155,000)

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Atlantic Sea Run Salmon Commission

Personal Services	($4,622)	($4,627)
All Other	(6,400)	(6,401)

Provides for the deappropriation of funds through the reclassification of a vacant Biologist IV position to a Biologist II position and the reduction in All Other expenses through cost-saving measures.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL	($11,022)	($11,028)

MARINE RESOURCES, DEPARTMENT OF

Bureau of Marine Development

Personal Services	($4,000)	($8,000)

All Other	(10,000)	(10,000)
Provides for the deappropriation of funds provided for 5 seasonal Conservation Aide positions.		
DEPARTMENT OF MARINE RESOURCES TOTAL	($14,000)	($18,000)
MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF		
Administration - Mental Health and Mental Retardation		
Capital Expenditures	($15,950)	
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Fuel for Institutions - Mental Health and Mental Retardation		
All Other	($13,087)	($13,088)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Mental Health Services - Community		
All Other	($30,600)	($105,600)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Unemployment Compensation - Mental Health and Mental Retardation		
Personal Services	($6,524)	($6,525)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Augusta Mental Health Institute		
All Other		($60,000)
Capital Expenditures	($23,000)	(23,000)
TOTAL	($23,000)	($83,000)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Bangor Mental Health Institute		
Capital Expenditures	($22,207)	($47,018)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Mental Retardation Services - Community		
All Other	($40,000)	($75,000)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Pineland Center		
All Other	($5,658)	($5,658)
Capital Expenditures	(33,184)	(31,234)
TOTAL	($38,842)	($36,892)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Aroostook Residential Center		
All Other	($2,000)	($2,000)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Elizabeth Levinson Center		
Capital Expenditures	($8,382)	($8,382)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
Mental Health Services - Children		
All Other		($75,000)
Provides for deappropriation of funds in order to fund higher priority supplemental items for other departmental activities.		
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL	($200,592)	($452,505)
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Administration - Professional and Financial Regulation		
Positions	(-1)	(-1)
Personal Services	($34,000)	($36,000)
All Other	(15,000)	(15,000)
Provides for the transfer of an Attorney position and related expenses to the dedicated fund account.		
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL	($49,000)	($51,000)
PUBLIC SAFETY, DEPARTMENT OF		
Drug Unit - Maine State Police		
Positions	(-2)	(-2)
Personal Services	($81,895)	($82,896)
All Other	(17,047)	(17,047)
TOTAL	($98,942)	($99,943)

Provides for the deappropriation of funds through the transfer of 2 Drug Agent positions from the General Fund to the dedicated fund account.		
Safety Program		
Positions	(-1)	(-1)
Personal Services	($35,917)	($37,842)
Provides funds for the deappropriation of funds through the deletion of a Forensic Chemist position.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	($134,859)	($137,785)
PART N TOTAL	($8,016,227)	($16,012,567)

PART O

Sec. 1. 3 MRSA §2, first ¶, as amended by PL 1987, c. 816, Pt. KK, §1, is further amended to read:

Each member of the Senate and House of Representatives, beginning with the first Wednesday of December ~~1988~~ 1990 and thereafter, shall receive ~~$9,900~~ $10,500 in the first year and ~~$6,600~~ $7,500 in the 2nd year of each biennium, and shall be paid for travel at each legislative session once each week at the same rate per mile to and from ~~his~~ that Legislator's place of abode as state employees receive, the mileage to be determined by the most reasonable direct route, except that Legislators may be reimbursed for tolls paid for travel on the Maine Turnpike provided they have a receipt for payment of the tolls, such tolls to be reimbursed when Legislators use the Maine Turnpike in traveling to and from sessions of the Legislature or in performance of duly authorized committee assignments. Each Legislator is entitled to mileage on the first day of the session, and such amounts of ~~his~~ salary and expenses at such times as the Legislature may determine during the session, and the balance at the end thereof.

Sec. 2. 3 MRSA §2, 3rd ¶, as amended by PL 1985, c. 693, §5, is further amended to read:

Each member of the Senate and House of Representatives shall be entitled to a meal allowance in the amount of ~~$26~~ $32 and a housing allowance in the amount of ~~$34~~ $38 for each day in attendance at sessions of the Legislature and for each day ~~he~~ the member occupies overnight accommodations away from home either immediately preceding or immediately following attendance at daily sessions of the Legislature. In lieu of the meal and housing allowance, each member shall be entitled to a daily meal allowance in the amount of ~~$26~~ $32 and actual daily mileage allowances in an amount up to but not exceeding ~~$34~~ $38 per day. Each member of the Senate shall also receive an annual allowance for constituent services in the amount of $1,000, $650 of which shall be received at the start of each regular session and $350 of which shall be received in the month following adjournment of the regular session. Each member of the House of Representatives shall also receive an annual allowance for constituent services in the amount of ~~$500~~ $750, $500 of which shall be received at the start of each regular session and $250 of which shall be received in the month following adjournment of the regular session.

Sec. 3. 3 MRSA §2, 6th ¶, as amended by PL 1985, c. 693, §5, is further amended to read:

In addition to the salary paid for the first and 2nd regular sessions of the Legislature, when a special session is called, the members of the Senate and House of Representatives shall each be ~~paid $55~~ compensated $100 for every day's attendance, expenses and mileage ~~as aforesaid~~ pursuant to this section.

Sec. 4. 3 MRSA §2, 8th ¶, as amended by PL 1985, c. 693, §5, is further amended to read:

The member of the Penobscot Indian ~~Tribe~~ Nation and the member of the Passamaquoddy Indian Tribe elected to represent ~~his tribe~~ their tribes at the Legislature shall receive a compensation of ~~$100~~ $110 for each day's attendance during the first and 2nd regular sessions and allowance for meals, constituent service, housing and travel expenses as any other member of the Senate and House of Representatives for attendance at each legislative session. For the duration of any special session of the Legislature, they shall receive the same allowances, including housing, meal and travel expenses, as any other member of the Senate and House of Representatives.

Sec. 5. 3 MRSA §2, 10th ¶, as amended by PL 1985, c. 693, §5, is further amended to read:

The President of the Senate, the Speaker of the House of Representatives, the floor leaders and their assistants and members of a committee, with the approval of the President of the Senate or the Speaker of the House of Representatives as to members of a committee, may also meet on days when the Legislature is not in daily session at any convenient location within the State. Each member of the Senate and House of Representatives shall receive $55 for every day's attendance when meetings or daily sessions are held, a meal allowance in the amount of ~~$26~~ $32 and a housing allowance whereby actual lodging expenses will be reimbursed at the single-room rate, provided that a receipt is submitted to the Executive Director of the Legislative Council for each day in attendance at such meetings or daily sessions and for each day ~~he~~ that member occupies overnight accommodations away from home either immediately preceding or immediately following attendance at daily sessions of the Legislature and actual daily mileage allowances which shall be paid at the same rate paid to state employees. In lieu of the meal and housing allowance, each member shall be entitled to a daily meal allowance in the amount of ~~$26~~ $32 and actual daily mileage allowances.

Sec. 6. 3 MRSA §2, 12th ¶, as amended by PL 1985, c. 693, §5, is further amended to read:

If a member of the Legislature dies or otherwise vacates the office, the successor is entitled to a salary from the date of seating, computed as follows: ~~One~~ two hundred

~~and eighty~~ ten dollars per week times the number of weeks remaining in the calendar year if the vacancy occurs in the first year and ~~$120~~ $150 per week for the number of weeks remaining in the calendar year if the vacancy occurs in the 2nd year.

Sec. 7. 3 MRSA §162-B, as enacted by PL 1983, c. 862, §§5 and 6, is amended to read:

§162-B. Salaries of constitutional officers

Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State~~, the State Auditor~~ and the Treasurer of State shall be set at the ~~first step~~ Step C of the official's respective range. At the time of initial appointment, the ~~salary~~ salaries of the Attorney General and the State Auditor shall be set at Step E of ~~his~~ their salary ~~range~~ ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions.

1. Range 88. The salary of the following state officials and employees shall be within salary range ~~87~~ 88, but shall not ~~exceed~~ be less than Step ~~G~~ C in that range:

A. Secretary of State; and

B. Treasurer of State.

2. Range 89. The salary of the State Auditor shall be within salary range ~~88~~ 89, but shall not ~~exceed~~ be less than Step ~~G~~ E in that range.

3. Range 91. The salary of the Attorney General shall be within salary range ~~90~~ 91, but shall not be less than Step E ~~and shall not exceed Step G~~ in that range.

Sec. 8. 3 MRSA §801, sub-§1-A is enacted to read:

1-A. Waiver provision. Any Legislator may petition the presiding officer for a waiver from the membership provisions of subsection 1 if it can be demonstrated that membership in the Maine Legislative Retirement System will create or exacerbate a Legislator's federal income tax liability due to the ownership of another retirement plan. The Office of the Executive Director of the Legislative Council shall provide assistance as requested by the Legislator or presiding officer. The presiding officer shall respond to the Legislator's petition within 30 days and shall provide copies of the decision to the Executive Director of the Legislative Council and the Executive Director of the Maine State Retirement System.

Sec. 9. 4 MRSA §4, sub-§2, as amended by PL 1983, c. 863, Pt. B, §§5 and 45, is repealed and the following enacted in its place:

2. Associate justice; salary. Each Associate Justice of the Supreme Judicial Court shall receive a salary as follows:

A. For fiscal years 1989-90 and 1990-91, $77,300; and

B. Effective December 3, 1990, for fiscal year 1990-91, and thereafter, $80,392.

Sec. 10. 4 MRSA §4, sub-§2-A is enacted to read:

2-A. Cost-of-living adjustment. Effective July 1, 1991, and every July 1st thereafter, the State Court Administrators shall adjust the salaries of the State's associate justices and associate judges by any percentage change in the Consumer Price Index from January 1st to December 31st of the previous year, but only to a maximum increase of 4%. The State Court Administrator shall determine the cost of these adjustments; notify the State Budget Officer and the Director of the Office of Fiscal and Program Review of these costs; and include them in the Judicial Department's budget requests, as necessary. For purposes of this subsection, "Consumer Price Index" means the Consumer Price Index for Urban Wage Earners and Clerical Workers: United States City Average, All items, 1967=100, as compiled by the United States Department of Labor, Bureau of Labor Statistics or, if the index is revised or superseded, the Consumer Price Index shall be the index represented by the Bureau of Labor Statistics as reflecting most accurately changes in the purchasing power of the dollar by consumers.

Sec. 11. 4 MRSA §6-B, as amended by PL 1983, c. 416, §1, is further amended to read:

§6-B. Per diem compensation for Active Retired Justices of the Supreme Judicial Court

Any Active Retired Justice of the Supreme Judicial Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, shall be compensated for those services at the rate of ~~$75~~ $150 per day or ~~$45~~ $90 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Supreme Judicial Court in any calendar year ~~may~~ does not exceed the annual salary of a Justice of the Supreme Judicial Court.

Sec. 12. 4 MRSA §102, sub-§2, as amended by PL 1983, c. 863, Pt. B, §§6 and 45, is repealed and the following enacted in its place:

2. Associate justice; salary. Each Justice of the Superior Court shall receive a salary as follows:

A. For fiscal years 1989-90 and 1990-91, $73,100; and

B. Effective December 3, 1990, for fiscal year 1990-91, and thereafter, $76,024.

Sec. 13. 4 MRSA §102, sub-§2-A is enacted to read:

2-A. Cost-of-living adjustment. The salaries of the associate justices shall be adjusted as established in Title 4, section 4, subsection 2-A.

Sec. 14. 4 MRSA §104-A, as amended by PL 1983, c. 416, §2, is further amended to read:

§104-A. Per diem compensation for Active Retired Superior Court Justices

Any Active Retired Justice of the Superior Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, shall be compensated for those services at the rate of ~~$75~~ $150 per day or ~~$45~~ $90 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Superior Court in any calendar year ~~may~~ does not exceed the annual salary of a Justice of the Superior Court.

Sec. 15. 4 MRSA §157, sub-§4, as repealed and replaced by PL 1983, c. 863, Pt. B, §§7 and 45, is repealed and the following enacted in its place:

4. Associate judge; salary. Each Associate Judge of the District Court shall receive a salary as follows:

A. For fiscal years 1989-90 and 1990-91, $70,176; and

B. Effective December 3, 1990, for fiscal year 1990-91, and thereafter, $72,983.

Sec. 16. 4 MRSA §157, sub-§4-A is enacted to read:

4-A. Cost-of-living adjustment. The salaries of the associate judges shall be adjusted as established in Title 4, section 4, subsection 2-A.

Sec. 17. 4 MRSA §157-D, as enacted by PL 1983, c. 853, Pt. C, §§13 and 18, is amended to read:

§157-D. Active retired judges; compensation

Any Active Retired Judge of the District Court, who performs judicial service at the direction and assignment of the Chief Judge of the District Court, shall be compensated for those services at the rate of ~~$75~~ $150 per day or ~~$45~~ $90 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Judge of the District Court in any calendar year ~~may~~ does not exceed the annual salary of a Judge of the District Court.

Sec. 18. 30-A MRSA §255, sub-§1, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed and the following enacted in its place:

1. Annual salary. The District Attorney for each of the prosecutorial districts shall be within salary range 90 with the step within that salary range to be determined by the Attorney General, subject to the approval of the Governor.

Sec. 19. 30-A MRSA §255, sub-§§3 and 4, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, are repealed.

Sec. 20. 30-A MRSA §272, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed and the following enacted in its place:

3. Compensation. The compensation of deputy and assistant district attorneys shall be fixed by the district attorney, subject to the approval of the Attorney General and the Governor. For purposes of compensation and benefits, deputy and assistant district attorneys shall be treated comparably to assistant attorneys general.

Sec. 21. 30-A MRSA §272, sub-§6, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106 and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is repealed.

Sec. 22. Effective date. Sections 7, 9, 10, 11, 12, 13, 14, 15, 16 and 17 shall take effect on December 3, 1990.

PART P

Sec. 1. 4 MRSA §116, as amended by PL 1987, c. 339, §1, is further amended by adding at the end a new paragraph to read:

Funds received by the clerk as bail in criminal cases shall be deposited daily in a special interest-bearing account. Interest accrued in such an account shall be the property of and shall accrue to the State. The forfeiture and setoff of bail shall be as otherwise provided by law.

Sec. 2. 4 MRSA §157, sub-§1, ¶A, as amended by PL 1987, c. 349, Pt. H, §1, is further amended to read:

A. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary and to confirmation by the Legislature, shall appoint to the District Court 9 judges at large and ~~15~~ 16 judges. At least one judge shall be appointed in each district who shall be a resident of the district, except that in District 3 there shall be 2 judges appointed who shall be residents of the district, in District 6 there shall be 2 judges appointed who shall be residents of the district and in District 9 there shall be 2 judges appointed who shall be residents of the district. Each District Court Judge shall have a term of office of 7 years.

To be eligible for appointment as a District Judge, a person shall be a member of the bar of the State. The term "District Judge" shall include the Chief Judge, Deputy Chief Judge, the judges appointed from the districts and the judges at large.

Sec. 3. 4 MRSA §163, sub-§1, as amended by PL 1987, c. 339, §2, is further amended to read:

1. District Court funds. Except as otherwise provided by law, all fines, ~~bail~~ forfeitures and fees collected in any division of the District Court shall be paid to the clerk thereof, who shall deposit them in a special account within 72 hours of their receipt. Once each month, ~~he~~ the clerk shall remit such sums to the Treasurer of State, who shall credit them to the General Fund. At the same time, ~~he~~ the clerk shall remit such sums as have been collected in accordance with section 1057. Funds received by the clerk as bail in criminal cases shall be deposited daily in a special interest-bearing account. Interest accrued in the account shall be the property of and shall accrue to the State. The forfeiture and setoff of bail shall be governed as otherwise provided by law.

The court shall file a monthly report with the State Auditor itemizing the amount of fines imposed and to whom each is payable.

Sec. 4. 4 MRSA §556, 2nd ¶ is amended to read:

Proceeds of all sales of property made under the judgment or decree of the Supreme Judicial Court or of the Superior Court and any and all other sums of money from whatever source derived in civil proceedings coming into the custody of the Supreme Judicial Court or of the Superior Court shall be deposited in such depository as the court having custody of such money shall designate, and shall be withdrawn therefrom upon order of the clerk of courts, countersigned by any Justice of the Supreme Judicial Court or of the Superior Court. Any justice of either of ~~said~~ the courts shall designate some proper depository for the funds referred to and such designation shall be minuted on the docket of the court. Clerks of courts in the several counties shall keep a regular record containing the account of such funds showing the deposits and all accumulations thereof and the amounts withdrawn therefrom, specifying the date of such withdrawal and the case to which such matters relate. All deposits shall be in the name of the ~~incumbent~~ beneficiary with the clerk of ~~courts~~ court designated as custodian.

Sec. 5. 4 MRSA §556, last ¶, as repealed and replaced by PL 1975, c. 735, §11, is amended to read:

Whenever any of these funds are ordered by the courts to be paid to a person entitled to ~~same~~ these funds, ~~1/2 of the accrued interest, if any, shall be paid to the Treasurer of State, and the other 1/2 paid to the claimant~~ all accrued interest shall be paid to the claimant less a 5% fee based on the total proceeds, unless otherwise ordered by the court. Whenever any of these funds remain unclaimed for 20 years from the date when payable under the court judgment or decree, the clerk shall obtain an order from the court, under whose judgment or decree these funds were placed in ~~his~~ the clerk's custody, that a comprehensive abstract of the facts be advertised for 3 weeks successively in a newspaper of general circulation published in the county, and if no one appears to claim these funds within 60 days after date of the last publication, the ~~same~~ funds shall become forfeited to the State and be paid by the clerk to the Treasurer of State. That portion of this section providing for the forfeiture of unclaimed funds shall apply to funds held by the clerk of courts for 20 years or more prior to September 16, 1961.

Sec. 6. 5 MRSA §7-A, as enacted by PL 1983, c. 477, Pt. E, Sub-Pt. 20, is repealed and the following enacted in its place:

§7-A. Assignment of vehicles

Notwithstanding any other provision of law, all assignments of state-owned vehicles to individual employees will terminate effective August 1, 1983. The Governor may establish such criteria as the Governor deems appropriate relative to the assignment of all state-owned vehicles. It is the intent of the Legislature that no state-owned vehicle may be assigned to or used exclusively by any individual employee other than those instances where the Governor deems such assignment and use to be clearly necessary in order to carry out programs that have been approved by the Legislature.

1. Garaging vehicles off state grounds. Under no circumstances may any state employee garage a state vehicle at the individual's residence, except as provided:

A. A vehicle may be temporarily garaged off state grounds when it is being used to transport state employees while on overnight travel;

B. State vehicles may be temporarily garaged off state grounds after the late conclusion of a day's work;

C. State vehicles may be temporarily garaged off state grounds in order to allow an employee to take a vehicle home when the next day's assignment will require the use of the vehicle for travel beyond and in the same general direction as the employee's residence;

D. A vehicle may be temporarily garaged off state grounds when certified by the Bureau of Public Improvements that there is no space available on state grounds or certified by the Department of Public Safety that the space available does not provide adequate protection for the vehicle; or

2. Individual assignment of vehicles. Assignment of a state vehicle to an individual employee will be made only when that assignment is clearly necessary and meets one or more of the following criteria:

A. Sworn law enforcement personnel with powers of arrest regularly assigned to field duty;

B. Field personnel directly concerned with the maintenance and operation of highway facilities who are

frequently called for emergency duty at other than regular working hours;

C. Employees identified by the Governor, the Commissioner of Public Safety, the Commissioner of Defense and Veterans' Services or the Commissioner of Transportation to be available for call beyond the normal workday on a regular basis to protect the public safety;

D. Employees who are officially headquartered at their residences and carry unusual materials or equipment which make up an integral part of the employee's ability to perform the employee's job function on a regular basis and would be dangerous, unsanitary or too large to carry in that employee's personal vehicle; or

E. Employees who are officially headquartered at their residences provided the department head determines annually that the assignment is more effective than reimbursement for mileage.

The Governor may also establish criteria for the transfer of vehicles from department to department in order to meet priority operational needs.

Sec. 7. 5 MRSA §131 is amended to read:

§131. Departmental collections

Every department and agency of the State, whether located at the Capitol or not, collecting or receiving public money, or money from any source whatsoever, belonging to or for the use of the State, or for the use of any state department or agency, shall pay the same immediately into the State Treasury, without any deductions on account of salaries, fees, costs, charges, expenses, refunds, claims or demands of any description whatsoever. The Bureau of Parks and Recreation shall be allowed to refund daily use and camping fees based on the Bureau of Parks and Recreation standard refund policies. Any department or agency may deposit such money to the credit of the State upon communicating with the Treasurer of State and receiving from ~~him~~ the Treasurer of State instructions as to what state depository may be used for that purpose and in every such case, the depositor shall send to the Treasurer of State a statement of the deposits certified by the bank receiving it. This section shall not apply to county or town officers.

Sec. 8. 5 MRSA §955, last ¶, as amended by PL 1987, c. 731, §8, is further amended to read:

The director shall work with the Bureau of Employee Relations, the State Employee Health Commission established in section 285-A, and other labor management groups to maximize the involvement of state employees and their representatives in the planning and execution of all programs under the charge of the bureau, including, but not limited to, the health insurance issues, the employee assistance program and the planning and use of the State Employee Health ~~Internal Service Fund~~ Dedicated Revenue Account.

Sec. 9. 5 MRSA §956, first ¶, as enacted by PL 1985, c. 785, Pt. C, §1, is amended to read:

The Bureau of State Employee Health ~~Internal Service Fund~~ Dedicated Revenue Account is established to include appropriations made to the bureau, funds transferred to the bureau from within the department, funds from the administrative allowance provided in section 286, funds from the reserve fund provided in section 1731, funds received for special services provided to state agencies and employees and funds from operational charges levied upon state agencies.

Sec. 10. 5 MRSA §1515, sub-§3 is enacted to read:

3. Carry-forward. Any funds appropriated to the Corporate Income Tax Investment Credit Fund program shall not lapse, but shall be carried forward until June 30, 1991. These funds shall be used to offset the credits established in Title 36, section 5219-C.

Sec. 11. 5 MRSA §1516 is enacted to read:

§1516. Blaine House Renovations and Repairs Fund

1. Blaine House Renovations and Repairs Fund. There is created the Blaine House Renovations and Repairs Fund which shall be used solely for capital improvements, renovations and repairs to the Blaine House.

2. Nonlapsing fund. Any unexpended funds appropriated by the Legislature to implement the purposes of this chapter shall not lapse, but shall be carried forward. Any funds in excess of $100,000 shall be transferred to the General Fund.

Sec. 12. 5 MRSA §1664, 3rd ¶, as amended, is further amended to read:

Part 2 shall embrace the detailed budget estimates both of expenditures and revenues as provided. It shall include statements of the bonded indebtedness of the State Government showing the debt redemption requirements, the debt authorized and unissued and the condition of the sinking funds. It shall contain any statements relative to the financial plan which the Governor-elect, or the Governor, may deem desirable, or which may be required by the Legislature, and shall contain the analysis and statement required by section 1665, paragraph C.

Sec. 13. 5 MRSA §1665, as amended, is repealed and the following enacted in its place:

§1665. Budget estimates

1. Expenditure and appropriation requirements. On or before September 1st of the even-numbered years, all departments and other agencies of the State Government and corporations and associations receiving or desiring to receive state funds under the provisions of law shall prepare, in the manner prescribed by and on blanks furnished them by the State Budget Officer, and submit to the officer esti-

mates of their expenditure and appropriation requirements for each fiscal year of the ensuing biennium contrasted with the corresponding figures of the last completed fiscal year and the estimated figures for the current fiscal year. The expenditure estimates shall be classified to set forth the data by funds, organization units, character and objects of expenditure. The organization units may be subclassified by functions and activities, or in any other manner, at the discretion of the State Budget Officer.

2. Inclusion in estimate. In preparing budget estimates pursuant to this section, the Department of Human Services, the Department of Mental Health and Mental Retardation, the Department of Corrections, and the Executive Department, Division of Community Services shall include in their proposed current services budget estimates:

A. The amount necessary to cover projected increases in costs attributable to contracted social services which are to be continued at current levels, based on the United States Consumer Price Index established by the United States Department of Labor, Bureau of Labor Statistics; or

B. A statement identifying the specific services that are to be eliminated or reduced in the event that funds are not budgeted to continue all contracted social services at current levels. The statement shall indicate which categories of clients and geographic areas will be affected.

The analysis and statement required by this subsection shall be included in the state budget document pursuant to section 1664.

3. Tentative revenue estimates. Tentative revenue estimates prepared by the State Budget Officer during the month of September of the even-numbered years shall be revised by this officer during the following November for inclusion in the budget. The revenue estimates shall be classified so as to show the income by organization units, sources and funds, or in any other manner, at the discretion of the State Budget Officer.

4. Additional data. Upon receipt of the budget estimates submitted in accordance with this section, the State Budget Officer may require the heads of departments and other agencies of the State Government and officers of organizations and associations receiving or desiring to receive state funds under the provisions of law to appear before said officer and present such additional data in support of their budget estimates as said officer may deem necessary.

Sec. 14. 5 MRSA §1731, as repealed and replaced by PL 1985, c. 785, Pt. C, §2, is amended to read:

§1731. Reserve fund for self-insured retention losses

A reserve fund, in this chapter called the "fund," is created to indemnify the State for self-insured retention losses and related loss adjustment expenses from those perils insured against under a deductible or self-insured retention program, as recommended by the director and approved by the commissioner. With the approval of the commissioner, the fund may be used for loss prevention programs administered by either the Risk Management Division or the Bureau of State Employee Health. The total amount of the fund provided for loss prevention programs in any given year may not exceed 5% of the fund as of July 1st of that fiscal year. The fund shall be a continuing fund and shall not lapse. Funds provided from the reserve fund to the Bureau of State Employee Health shall be ~~similarly~~ nonlapsing and shall be carried forward through the Bureau of State Employee Health ~~Internal Service Fund~~ Dedicated Revenue Account.

With the approval of the commissioner, up to 15% of the unreserved amount of the fund as of July 1, 1989, may be used for the initial capitalization of the Workers' Compensation Management Fund established by section 1833.

Sec. 15. 5 MRSA §1752 is enacted to read:

§1752. Centrally leased space and food vending

The Bureau of Public Improvements may establish a dedicated revenue account for the management of space leased by the bureau for state offices and facilities. Charges levied to state agencies for centrally leased space shall be deposited to the dedicated revenue account. A dedicated revenue account may be established for operations related to food vending services.

Sec. 16. 5 MRSA §1833 is enacted to read:

§1833. Workers' Compensation Management Fund

The Workers' Compensation Management Fund is established to provide for any expenses related to the resolution of workers' compensation claims including: records and information management; investigation; medical review; representation; rehabilitation; payment of compensation; appropriate medical expenses and other payments required by the Workers' Compensation Commission; the settlement of cases; and other necessary expenses.

The fund shall be an internal service fund. The fund shall be a continuing fund and shall not lapse. The treasurer shall credit interest earned to the fund.

1. Capitalization; premiums. The fund shall be capitalized by legislative appropriations, payment from state departments and agencies and by other appropriate means.

All state departments and agencies shall make premium payments to the fund at the beginning of each quarter based on charges to user departments. Premiums charged to user departments shall be based on an analysis of the loss experience of each department, the reserve requirements related to departmental loss experience and the recovery of expenses as authorized in this section as related to each user department. Each department shall allocate the premium charge based on an analysis of the loss experience of each account or subdivision of account within the department. Premiums charged shall be sufficient to ensure the continuation of the fund and shall be set by the commissioner.

Funds received from the reserve fund for self-insured retention losses under section 1731 shall be repaid to that reserve fund through premiums charged except that, on the request of the commissioner, the Governor may waive repayment to the reserve fund when warranted and necessary.

2. Transitional clause. The Workers' Compensation Management Fund shall be effective July 1, 1989, to assist departments and agencies as approved by the commissioner. Central payment of workers' compensation management expenses shall not take effect until October 2, 1989. Initial quarterly premium payments shall be due to the fund on September 15, 1989.

By December 1, 1989, the commissioner shall inform the Commissioner of Finance, the State Budget Officer and any affected department or agency of the probability of increased premium charges for the remainder of the biennium. Thereafter, the commissioner shall provide notice of premium charges to the State Budget Officer and departments and agencies so that the charges may be incorporated in the normal budgetary process.

Agencies that do not have sufficient funding to pay the required premium charges shall request funds from the Second Regular Session of the 114th Legislature.

Sec. 17. 5 MRSA §1890-B is enacted to read:

§1890-B. Misuse of information systems

1. Violation. No person may knowingly use any computer information system operated by any state department or agency for any political purposes.

2. Penalty. A violation of subsection 1 is a Class C crime.

3. Definition. For the purpose of this section, "political purposes" include any reportable activity under Title 21-A, chapter 13.

Sec. 18. 5 MRSA §3305, sub-§1, ¶C, as amended by PL 1987, c. 534, Pt. A, §§9 and 19, is further amended to read:

C. Conduct, in conjunction with the Department of Economic and Community Development, continuing economic analysis of the economy and resources of the State, including economic forecasting, and collect and collate all pertinent data and statistics relating thereto and assist the Governor, the Legislature and the various state departments in formulating economic goals and programs and policies to achieve such goals. These data and statistics, including census information, shall be made available to the Legislature upon request.

(1) All state agencies shall cooperate with the State Planning Office with respect to the provisions of this paragraph.

(2) In implementing this paragraph, the State Planning Office may use secondary data made available to the office by other state agencies or other organizations;

Sec. 19. 5 MRSA §7036, sub-§2, as enacted by PL 1985, c. 785, Pt. B, §38, is repealed and the following enacted in its place:

2. Develop training programs. Provide for a statewide coordinated training and organizational development system and services; develop and implement training programs to ensure that managers and supervisors have the skills and knowledge needed to manage people effectively; provide career and professional development programs for employees; provide state agencies with organizational development and management consulting services; and provide technical assistance and other programs for training and organizational development.

A. The director may employ staff and contract for professional services as necessary to develop and conduct training, organizational development and managerial development programs.

B. Charges may be made to state agencies for programs and services provided. Any rate schedule recommended by the director shall be reviewed by the Policy Review Board and be subject to the approval of the commissioner.

C. The Training and Organizational Development Fund is established as a dedicated revenue account fund for the purposes of this subsection.

D. No expenditures may be made from the Training and Organizational Development Fund for the purpose of providing any state employee, elected official or appointee with training intended specifically to enhance and promote their image as an individual without the authorization of the Governor.

Sec. 20. 5 MRSA c. 502 is enacted to read:

CHAPTER 502

COMMUNITY-BASED AIDS ORGANIZATIONS

§19251. Definitions

As used in this chapter, unless the context indicates otherwise, the following terms have the following meanings.

1. Bureau. "Bureau" means the Department of Human Services, Bureau of Health.

2. Community-based AIDS organization. "Community-based AIDS organization" means a nonprofit community organization whose primary purpose is to provide educational information on HIV-related illnesses, support to persons with HIV-related illnesses and assistance to families and others providing care and support to persons with HIV-related illnesses.

3. Fiscal agent. "Fiscal agent" means an incorporated community organization, agency or institution designated by a community-based AIDS organization and authorized by the bureau to receive and distribute grants to that community-based AIDS organization.

4. Statewide AIDS alliance. "Statewide AIDS alliance" means a statewide coalition of community-based AIDS organizations having at least one representative from each member organization.

§19252. Authorization for expenditure of funds

The bureau may make grants to community-based AIDS organizations or fiscal agents for the purposes of maintaining a statewide network of volunteer organizations that are members of a statewide AIDS alliance and supporting the work of those organizations.

1. Grants. Grants shall be made according to rules adopted by the bureau. In order to be eligible for a grant, the applicant must match state funds, in a percentage to be determined by the bureau, from community contributions of cash or contributions in kind.

2. Award of grants. Grants awarded shall be based on submission to the bureau of an annual plan which includes, but is not limited to, community education, materials and ongoing operations of the organization.

3. Distribution of grants. Grants shall be awarded to support existing community-based AIDS organizations and to assist the establishment of new community-based AIDS organizations. The bureau shall award the first grant no later than October 1, 1989.

4. Consultation with statewide AIDS alliance. The bureau shall seek the advice of a statewide AIDS alliance regarding the distribution of grants before any grants are awarded.

§19253. Fiscal agents

A fiscal agent receiving grants under this chapter shall act only in an administrative capacity to receive and distribute grant money to the nonprofit community organization, as described in the rules promulgated by the bureau for regulating the local administration of these programs.

§19254. Rules

The bureau shall adopt rules, pursuant to the Maine Administrative Procedure Act, chapter 375, which are necessary for the implementation of this chapter including, but not limited to, program and administrative standards.

Sec. 21. 12 MRSA §6022, sub-§10, as enacted by PL 1977, c. 661, §5, is amended to read:

10. Ecological impact. The commissioner shall advise the United States Army Corps of Engineers, the ~~Maine~~ Department of Transportation, the Department of Environmental Protection and appropriate state agencies on the ecological effects of dredging, filling and depositing of soil or otherwise altering coastal wetlands, whether these actions will affect adversely estuarine or marine fisheries and what mitigation or compensatory measures are available . The commissioner shall also recommend to these agencies whether dredging, filling or otherwise altering coastal wetlands is permitted under current state and federal wetland rules and regulations.

Sec. 22. 20-A MRSA §2, sub-§3, as enacted by PL 1987, c. 821, is amended to read:

3. Mandated programs. Any legislation containing a state mandate enacted by the Legislature after January 1, 1989, which requires additional funding, shall contain provisions for full funding by the State for 2 years, after which the legislation shall contain full funding through the School Finance Act of 1985, as amended. The funding requirements to implement the mandate must be identified. Any such legislation for which full state funding is not provided may not be enacted.

State mandates are defined as any state-initiated or statutory action that requires a local school administrative unit to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court or any legislation necessary to comply with a federal mandate.

This ~~chapter~~ subsection is repealed on June 30, ~~1992~~ 1994, unless reviewed and extended by specific Act of the Legislature.

Sec. 23. 20-A MRSA §13451, sub-§3, as amended by PL 1987, c. 816, Pt. KK, §17, is further amended to read:

3. Payment by State. The State through the Maine State Retirement System shall pay ~~15%~~ 20% of only the retired teacher members' share of this insurance.

Sec. 24. 22 MRSA §309, sub-§7 is enacted to read:

7. Intermediate care facilities. The department shall give preference when awarding a certificate of need for new nursing home facilities to those homes being proposed to be constructed in communities with populations of 4,000 or more and that do not currently have a nursing home.

Sec. 25. 22 MRSA §1699 is enacted to read:

§1699. Community-based heart attack and stroke prevention programs

1. Heart attack and stroke prevention programs; establishment. The Bureau of Health shall establish a program to develop heart attack and stroke prevention programs in communities and regions throughout the State. The community programs shall:

A. Provide public education to schools, community groups and workplaces about cardiovascular risks;

B. Provide blood pressure and cholesterol screening, referral and follow-up to the general public and workforce populations; and

C. Provide smoking cessation programs for community members wishing to quit.

2. Training; funding. The bureau shall provide training for communities in program development, conduct a statewide public awareness program about cardiovascular risks, allocate matching funds for community program operation and periodically evaluate program effectiveness.

3. Rules. The bureau shall adopt rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, for distribution of funds to communities no later than 90 days after the effective date of this section; awards to communities shall begin no later than 180 days after the effective date of this section. The rules shall include a requirement that funded programs follow accepted quality control standards and be periodically reviewed by organizations with experience in and knowledge of heart attack and stroke prevention.

Sec. 26. 22 MRSA §3086, sub-§1, as enacted by PL 1987, c. 494, is repealed and the following enacted in its place:

1. Head injury. "Head injury" means an insult to the brain resulting directly or indirectly from trauma, anoxia, vascular lesions or infection, which:

A. Is not of a degenerative or congenital nature;

B. Can produce a diminished or altered state of consciousness resulting in impairment of cognitive abilities or physical functioning;

C. Can result in the disturbance of behavioral or emotional functioning;

D. Can be either temporary or permanent; and

E. Can cause partial or total functional disability or psychosocial maladjustment.

Sec. 27. 22 MRSA §3784, sub-§7, as enacted by PL 1987, c. 856, §§7 and 10, is amended to read:

7. Effective date; sunset. Notwithstanding any other provision of law, this section shall take effect on January 1, 1989 and shall be repealed on ~~June 30, 1989~~ March 31, 1990.

Sec. 28. 23 MRSA §4207, sub-§3, as amended by PL 1987, c. 534, Pt. B, §§13 and 23, is further amended to read:

3. Purchase or lease of certain railroad lines. The Department of Transportation may purchase or lease~~, under such terms and conditions as the department and the owners of the railroad may agree upon and hold for the State,~~ railroad lines or any part thereof or any other property located in the State, owned or otherwise lawfully controlled by ~~the~~ any railroad when, in the judgment of the department, the purchase or lease of those railroad lines or property is necessary to protect the public interest. ~~The department may purchase or lease the right-of-way only of such line or lines which it shall hold and manage for future transportation use or it may purchase or lease the railroad line intact, including track, track appurtenances, ties, bridges, station houses and other necessary structures.~~

A. ~~Upon~~ Before dismantling any track that results in a cessation of rail service upon all or part of a railroad line, or offering any railroad property for sale, or upon the abandonment of service along all or a portion of a railroad line, the department shall be given the first option to lease or purchase, upon just and reasonable terms, the ~~railroad's rights-of-way along the abandoned portion of the~~ railroad line or part thereof, or other property. In the event that a lease is negotiated for the rights-of-way, the department shall consult with municipal officials and officers in the municipalities affected by the abandonment of service along the line to determine the need for preserving the rights-of-way along the abandoned portion of the line for rail transportation. If the department finds that the welfare of the State would be significantly and adversely affected by the loss of the line for railroad transportation purposes, the department shall seek to negotiate the purchase of the abandoned portion of the line. In making this determination, the department shall consider, among other criteria deemed significant by the department, future economic development activities and opportunities in the area served by the abandoned railroad service. In addition, the department shall consult with the Department of Economic and Community Development and the State Planning Office in making the determination required in this section.

The department shall, in good faith, seek to lease the railroad rights-of-way until it finds that the preservation of the rights-of-way is not necessary for the welfare of the State or until the voters of the State approve or disapprove, at a statewide election, the issue of bonds to purchase the rights-of-way along the abandoned portion of the line.

Nothing in this paragraph may require the department to lease or purchase the railroad rights-of-way to an entire railroad line or portion thereof for which railroad service has been abandoned if the railroad corporation owner does not intend to sell, lease or in any other way dispose of the rights-of-way by which railroad service could be easily restored along the abandoned service portion of the line.

B. The abandonment of service shall not mean or infer that the rights-of-way on a railroad line have been abandoned. In the event that the railroad, any person, firm or corporation, or any agency shows interest in the eventual restoration of service, the rights-of-way shall not be deemed abandoned.

Since it is in the best interest of the State to retain the rights-of-way intact, this paragraph shall apply to all existing and future rights-of-way created prior to or following the effective date of this section, as amended.

C. Whenever the department acquires railroad lines, to hold and to manage for future railroad uses, those lines shall not be considered abandoned for railroad purposes. The commissioner shall periodically review the need to hold those lines for future railroad uses.

Sec. 29. 34-B MRSA §1204, sub-§2, ¶¶D and E are enacted to read:

D. The commissioner, with the approval of the Governor, may employ and set the salaries up to the maximum adjusted pay grade for physician I, II and III positions and clinical director positions. Physician I, II and III positions and clinical director positions shall be excluded from the definition of state employee under Title 26, section 979-A, subsection 6, and shall not be subject to the Civil Service Law. Employees in these classifications hired after the effective date of this paragraph shall serve at the pleasure of the commissioner and shall, as a condition of continued employment, maintain clinical privileges to practice medicine as determined by the respective medical staff and the superintendent of the facility.

E. Employees in the classifications of physician I, II and III and clinical director may elect to retain current bargaining unit and civil service status. Employees so "grandfathered" shall retain salary and benefit entitlement provided for on current pay schedules and collective bargaining agreements.

Sec. 30. 36 MRSA §1760, sub-§67 is enacted to read:

67. Seedlings for commercial forestry use. Sales of tree seedlings for use in commercial forestry. For purposes of this subsection, commercial Christmas tree operations are not considered commercial forestry. This subsection shall take effect September 1, 1990.

Sec. 31. 36 MRSA §2801, as enacted by PL 1987, c. 847, §5, is amended to read:

§2801. Hospital excise tax

Hospitals shall be subject to an excise tax for the fiscal year. The rate of tax shall be .002 of the hospital's financial requirements as determined in Title 22, chapter 107, subchapter III. The State Tax Assessor on or before September ~~30, 1988~~ 30th; December ~~30, 1988~~ 30th; March ~~30, 1989~~ 30th; and June ~~30, 1989~~ 30th, of each fiscal year shall determine the amount of such tax on each hospital and shall give notice of the amount to the hospital upon which the tax is levied. The amount of tax on each quarterly notice shall be .002 of the hospital's financial requirements of the most recently completed quarter of the hospital's payment year.

Sec. 32. 36 MRSA §5219-C is enacted to read:

§5219-C. Forest management planning income credits

Once every 10 years, an individual is allowed a credit against the tax otherwise due under this Part for the lesser of $200 or the individual's cost for having a forest management and harvest plan developed for a parcel of forest land greater than 10 acres. For purposes of this section, the licensed professional forester may not be in the regular employ of the individual. In no case may this credit reduce the state income tax to less than zero. Those taxpayers claiming this credit must attach a statement from the forester supporting the claim and swear that the credit has not been claimed by them in the previous 10 years. Those taxpayers deducting the cost of the forester as an expense under the Internal Revenue Code must reduce the expense by the amount of the credit. This credit may be used in any tax year beginning on or after January 1, 1989.

Sec. 33. P&SL 1975, c. 147, Pt. D, §3, SCHEDULE 1b is enacted to read:

SCHEDULE 1b

Physicians' maximum adjusted pay grade and Clinical Directors, pursuant to the Maine Revised Statutes, Title 34-B, section 1204, subsection 2, paragraph D, for Physician I, Grade 53; Physician II, Grade 56; Physician III, Grade 59; and Clinical Director, Grade 60 shall be as follows.

Grade	A	B	C	D	E	F	G
53	55,540.16	61,110.40	64,030.72	67,086.24	70,493.28	73,846.24	77,361.44
56	63,057.28	69,384.64	72,791.68	76,360.96	80,065.44	83,932.16	88,042.24
59	72,521.28	79,876.16	83,742.88	87,798.88	92,152.32	96,640.96	101,400.00
60	78,983.84	87,041.76	91,476.32	95,937.92	100,832.16	105,807.52	110,918.08

Schedule 1b provides a maximum adjusted pay grade schedule and grades are subject to normal increases authorized by law. Employees under these pay grades are authorized the option of a 5% salary increase in lieu of state payment of the employee's individual retirement contribution.

Sec. 34. Resolve 1987, c. 107, 2nd resolve clause, 2nd sentence is amended to read:

This planner shall be required to have available in sufficient time to be included in legislation presented to the ~~First~~ Second Regular Session of the 114th Legislature a cost estimate of sufficient accuracy as to be suitable for a request for funding to cover completely all aspects of the construction of this court facility including adequate parking facilities; and be it further

Sec. 35. Resolve 1987, c. 107, 3rd resolve clause, 2nd ¶, first sentence is amended to read:

All preparation for the design competition that does not require funding shall be completed by November ~~1989~~ 1990.

Sec. 36. Resolve 1987, c. 107, 4th resolve clause, sub-§2, ¶B, first sentence is amended to read:

Present to the ~~First~~ Second Regular Session of the 114th Legislature a report containing a recommendation on a site within the City of Augusta for the proposed court facility and the construction cost estimate of the court planner.

Sec. 37. PL 1981, c. 453, §12, first sentence is amended to read:

For the purposes of this Act, confidential employees are defined as those within the Executive Branch, including probationary employees who are excluded from bargaining units pursuant to the Revised Statutes, Title 26, section 979-A, subsection 6, paragraphs B, C, D, I and J and ~~whose salaries are not subject to adjustment or approval by~~ the Governor, the Attorney General, the Secretary of State, the State Treasurer, the State Auditor and the district attorneys.

Sec. 38. PL 1989, c. 68, Pt. A, §12-A is enacted to read:

Sec. 12-A. Expenditure Limitation. It is the intent of the Legislature that no expenditures may be made from any state government resource, be it state or federal funds, for the purpose of providing any state employee, elected official or appointee with training intended to enhance and promote their image as an individual without the authorization of the Governor.

Sec. 39. Telecommunications lease purchases. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Office of Information Services is authorized to enter into lease-purchase agreements for telecommunications systems related to the needs of the following agencies: Department of Administration - state systems services in Augusta, Gardiner and Portland, including the video pilot and the statewide network; Department of Audit - Augusta; Division of Community Services - Hallowell; Department of Conservation - Augusta; Department of Corrections - Bangor, Portland, Warren, Charleston, Windham, Hallowell and Thomaston; Department of Defense and Veterans' Services - Augusta; Department of Economic and Community Development - Hallowell; Department of Educational and Cultural Services - Portland; Department of Environmental Protection - Augusta, Presque Isle and Portland; Department of Finance - Augusta; Maine Health Care Finance Commission - Augusta; Department of Human Services - Augusta, Biddeford, Bangor, Calais, Houlton, Lewiston, Machias, Mexico, Portland, Presque Isle, Rockland, Sanford and Skowhegan; Department of Labor - Lewiston, Machias and Sanford; Department of Marine Resources - Hallowell and Rockland; Department of Mental Health and Mental Retardation - Augusta, Bangor, Portland and Lewiston; Department of the Secretary of State - Augusta, Bangor, Caribou and Rockland; Department of Public Safety - Gray, New Gloucester, Vassalboro and Waterville; Department of Transportation - Bangor and Scarborough; Judicial Department - Portland; and the Maine Vocational-Technical Institute System - Bangor, Presque Isle and South Portland.

Lease-purchase agreements for these systems services shall be for no more than $4,100,000 with interest costs of no more than $698,000. Up to 5% of this authorization may be used for telecommunications systems services lease-purchase agreements not specifically identified in this section.

Sec. 40. Lease-purchase of computer equipment. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Public Safety is authorized to enter into purchase or lease-purchase financing agreements for computer hardware and operating software with an outright purchase price of not more than $1,340,000, with interest costs of no more than $360,000.

The Department of Public Safety shall finance the cost of this project with funds authorized under the departmental long-range automated systems plan.

Sec. 41. Lease-purchase of information systems. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of the Secretary of State is hereby authorized to enter into lease-purchase agreements of up to 5 years for information systems and equipment totaling no more than $520,000 with interest costs of approximately $175,000.

Sec. 42. Maine Court Facilities Authority; securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 1, the Maine Court Facilities Authority is authorized to issue securities, in its own name pursuant to existing statutory authority, in the amount of $6,500,000 for the purpose of paying the cost of courthouse projects or parts of projects in Bath, Brunswick, Presque Isle, Dover-Foxcroft, Machias and York County.

Sec. 43. Carrying clause. Unencumbered balances in Community-based Corrections Account #1370.8 shall not lapse, but shall carry forward to June 30, 1990.

Sec. 44. Carrying clause. Unencumbered balances in Capital Construction - Repairs - Improvements - Corrections Account #1371.9 shall not lapse, but shall carry forward until June 30, 1990.

Sec. 45. Transfer of funds available in the Bureau of State Employee Health Dedicated Revenue Account. A total amount of $243,000, identified to pay for an expansion of dental insurance benefits, shall be transferred from the Bureau of State Employee Health Dedicated Revenue Account to the various contributing funds other than the General Fund. No fund may receive a transfer that is greater than its original contribution to the $243,000 balance. The Commissioner of Administration and the Commissioner of Finance shall determine the amounts that must be transferred.

Sec. 46. Joint Standing Committee of Appropriations and Financial Affairs; study. The Joint Standing Committee on Appropriations and Financial Affairs shall conduct a study of the following: the manner in which new and expanded services in Federal Expenditure funds, Federal Block Grant funds, Other Special Revenue funds, inter-

nal service funds and general ledger funds should be presented to the Legislature for review; and the manner in which financial orders, as authorized in the Maine Revised Statutes, Title 5, section 1585, are currently used during the legislative session.

The committee shall organize a subcommittee to investigate these issues.

The committee members shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2. Members shall be reimbursed for expenses upon application to the Executive Director of the Legislative Council.

The committee shall issue a report, together with any proposed legislation, to the Second Regular Session of the 114th Legislature by February 1, 1990.

Sec. 47. Study. The Department of Corrections shall prepare a plan to be submitted to the Joint Standing Committee on Appropriations and Financial Affairs before January 1, 1990, concerning the department's assessment of the programs and facilities that are needed to address the issue of juveniles in adult-serving facilities.

Sec. 48. Prohibition. No positions which are intended to be ongoing may be created with any state or federal funds unless funds are specifically appropriated or allocated by the Legislature.

Sec. 49. Transfer of funds. The State Controller is authorized to transfer $17,100,000 from the General Fund balance to undedicated revenue. These transfers shall be made on a monthly basis during the period of January 1990, to June 1990, in amounts directly proportional to total individual income tax refunds budgeted for those months.

PART Q

Sec. 1. Commission created and charged. There is created the Special Commission to Study the Organization of the State's Cultural Agencies. The commission shall study the organizational placement of the Maine State Museum, the Maine State Library, the Maine Historic Preservation Commission and the Maine Arts Commission within the Department of Educational and Cultural Services. The commission shall conduct research on the organizational options for the provision of cultural services within State Government and shall hold a series of at least 3 public hearings throughout the State to gather public testimony.

Sec. 2. Appointment. The commission shall consist of 17 members, appointed in the following manner: 2 Senators appointed by the President of the Senate; 3 members of the House of Representatives appointed by the Speaker of the House of Representatives; the Commissioner of Educational and Cultural Services or the commissioner's designee, ex officio; the Director of the State Museum Bureau, Director of the Maine Historic Preservation Commission, the Director of the Maine Arts Commission and the State Librarian, or their designees, ex officio; the Chair of the Maine State Museum Commission; the Chair of the Maine Library Commission; the Chair of the Maine Historic Preservation Commission; the Chair of the Maine Arts Commission; the Chair of the Maine Community Cultural Alliance; and 2 public members appointed jointly by the President of the Senate and the Speaker of the House of Representatives. Members shall be appointed within 30 days of the effective date of this Act and the Executive Director of the Legislative Council shall be notified when the appointments are made.

Sec. 3. Convening of commission. When the appointment of all commission members is completed, the Chair of the Legislative Council shall convene the first meeting of the commission. At the first meeting, the commission shall elect a chair from among its members.

Sec. 4. Report. The commission shall present its findings, together with any recommended legislation, to the 114th Legislature and the Governor by December 1, 1989.

Sec. 5. Assistance. If staff assistance is desired, assistance shall be requested from the Legislative Council.

Sec. 6. Compensation. The members of the commission who are Legislators shall receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day's attendance at commission meetings. All members of the commission who are not state employees shall receive reimbursement for expenses upon application to the Executive Director of the Legislative Council.

PART R

Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1990-91
Executive Department and Agencies (cabinet level)	($470,000)
Legislative and Judicial Department and other noncabinet level agencies	(1,500,000)
Maine Vocational-Technical Institute System	(24,800)
Maine Maritime Academy	(6,200)
Total	($2,001,000)

The State Budget Officer shall calculate the amount that shall apply against each General Fund account in groups one and 2 above based upon the All Other (less grants).

The calculated amount for each of the accounts shall be in the same proportion as the total amount for the account is to the total amount for the group.

The State Budget Officer shall reduce the appropriations in each account by the calculated amount.

PART S

Commission created. The Commission to Evaluate the Adequacy of the Aid to Families with Dependent Children Need and Payment Standards is created.

1. The commission shall consist of 13 members appointed in the following manner: 2 Senators, and 2 members of the House of Representatives, one each from the Joint Standing Committee on Human Resources and the Joint Standing Committee on Appropriations and Financial Affairs, to be appointed by the President of the Senate and Speaker of the House of Representatives respectively; one representative of the Department of Human Services; one representative of the Maine Municipal Association, to be appointed by the Governor; one member of the Aid to Families with Dependent Children Advisory Council; one representative of licensed social workers; one representative of the academic disciplines of social work, sociology, labor economics or other relevant fields of study; one representative of private nonprofit agencies providing services to Aid to Families with Dependent Children recipients; and 3 representatives of Aid to Families with Dependent Children recipients to be appointed jointly by the President of the Senate and the Speaker of the House of Representatives. All appointments shall be made within 30 days of the effective date of this section. The commission members shall select a chair at their first meeting.

2. The commission shall study the adequacy of the Aid to Families with Dependent Children program's need and payment standards to meet the cost of basic necessities for eligible families. Specifically, the commission shall:

A. Determine an amount that represents the actual cost to low-income families of purchasing basic necessities on a monthly basis and specify the methodology by which that determination has been made;

B. Examine the adequacy of the current Aid to Families with Dependent Children need and payment standards to enable eligible families to purchase these basic necessities; and

C. Recommend legislation which establishes a reasonable method, taking maximum advantage of federal financial participation, and a timetable for assuring that recipients of Aid to Families with Dependent Children benefits receive sufficient income on an annual basis to meet their expenses for basic necessities.

3. When the appointment of all commission members is completed, the Chair of the Legislative Council shall call the first meeting by September 15, 1989.

4. The Department of Human Services shall assist with the scheduling of meetings and provide the commission with staff and access to information as appropriate and necessary to carry out its charge.

5. All members of the commission who are not state employees shall receive reimbursement for travel and other necessary expenses upon application to the Executive Director of the Legislative Council.

6. The commission shall submit a report, together with any necessary implementing legislation, to the Second Regular Session of the 114th Legislature by February 15, 1990.

PART T

Demonstration project for victims of Alzheimer's disease. The Department of Human Services shall contract with a northern Maine hospital in Aroostook County to develop a diagnostic and assessment clinic for victims of Alzheimer's disease. This demonstration project shall not be subject to the Maine Revised Statutes, Title 22, chapters 103 and 107, and shall be deemed an approved project for which an adjustment may be made under the Maine Revised Statutes, Title 22, section 396-D, subsection 5, but shall not be a debit to the Hospital Development Account.

PART U

36 MRSA §1760, sub-§9-D, as enacted by PL 1985, c. 767, §3, is amended to read as follows:

9-D. Fuel and electricity used at a manufacturing facility. Ninety-five percent of the sale price of all fuel and electricity purchased for use at a manufacturing facility. The sales or use tax rate applicable to 95% of the sale price of such fuel and electricity shall be progressively reduced to 0 according to the following schedule:

Date of purchase	Sales or use tax rate
July 1, 1987, to June 30, 1988	4%
July 1, 1988, to June 30, 1989	3%
July 1, 1989, to ~~June 30, 1990~~ December 31, 1991	2%
~~July 1, 1990~~ January 1, 1991, to June 30, 1991	1%
July 1, 1991, and thereafter	0%

Each year prior to the effective date of the next reduction, after the reduction beginning July 1, 1987, the joint standing committee of the Legislature having jurisdiction over taxation shall review the effect of this subsection and report to the Legislature.

PART V

Sec. 1. 36 MRSA §1752, sub-§6-A, as enacted by PL 1985, c. 767, §1, is amended to read:

6-A. Manufacturing facility. "Manufacturing facility" means a site at which is located machinery and equipment used directly and primarily in either the production of tangible personal property intended to be sold or leased ultimately for final use or consumption or the production of tangible personal property pursuant to a contract with the United States Government or any agency thereof. It includes the machinery and equipment and all machinery, equipment, structures and facilities located at the site and used in support of production or associated with the production.

Sec. 2. 36 MRSA §1752, sub-§11, as repealed and replaced by PL 1987, c. 497, §22, is amended to read:

11. Retail sale. "Retail sale" means any sale of tangible personal property, in the ordinary course of business, for consumption or use, or for any purpose other than for resale, except resale as a casual sale, in the form of tangible personal property. "Retail sale" also means any sale of a taxable service in the ordinary course of business for any purpose other than for resale, except resale as a casual sale. "Retail sale" includes conditional sales, installment lease sales and any other transfer of tangible personal property when the title is retained as security for the payment of the purchase price and is intended to be transferred later. "Retail sale" includes sale of products for internal human consumption to a person for resale through coin-operated vending machines when sold to a retailer whose gross receipts from the retail sale of tangible personal property derived through sales from vending machines are more than 50% of ~~his~~ the retailer's gross receipts, which tax shall be paid by the retailer to the State. "Retail sale" does not include any sale by a personal representative in the settlement of an estate, unless the sale is made through a retailer, or unless the sale is made in the continuation or operation of a business; nor does the term include any other casual sale. "Retail sale" does not include the sale of tangible personal property which becomes an ingredient or component part of, or which is consumed or destroyed or loses its identity directly and primarily in either the production of ~~,~~ tangible personal property for later sale or lease, other than lease for use in this State, or the production of tangible personal property pursuant to a contract with the United States Government or any agency thereof, but shall include fuel and electricity, but shall not include electricity separately metered and consumed in any electrolytic process for the manufacture of tangible personal property for later sale, nor any fuel oil or coal, the by-products from the burning of which become an ingredient or component part of tangible personal property for later sale. Tangible personal property is "consumed or destroyed" or "loses its identity" in that production, if it has a normal physical life expectancy of less than one year as a usable item in the use to which it is applied. "Retail sale" does not include the sale~~;~~ to a person engaged in the business of renting automobiles, of automobiles, or integral parts of automobiles or accessories to automobiles, for rental or for use in an automobile rented, on a short-term basis. "Retail sale" does not include the sale of containers, boxes, crates, bags, cores, twines, tapes, bindings, wrappings, labels and other packing, packaging and shipping materials when sold to persons for use in packing, packaging or shipping tangible personal property sold by them or upon which they have performed the service of cleaning, pressing, dyeing, washing, repairing or reconditioning in their regular course of business and which are transferred to the possession of the purchaser of ~~such~~ that tangible personal property. "Retail sale" does not include the provision of meals or lodging to employees at their place of employment when the value of those meals or that lodging is allowed as a credit toward the wages of those employees.

Sec. 3. 36 MRSA §1752, sub-§11, as amended by PL 1985, c. 767, §§2 and 4, is further amended to read:

11. Retail sale or sale at retail. "Retail sale" or "sale at retail" means any sale of tangible personal property, in the ordinary course of business, for consumption or use, or for any purpose other than for resale, except resale as a casual sale in the form of tangible personal property, any rental of living quarters in any hotel, rooming house, tourist or trailer camp, any rental of automobiles on a short-term basis, other than rental to a person engaged in the business of renting automobiles, the sale of telephone or telegraph service and the sale of extended cable television service. The term "retail sale" or "sale at retail" includes conditional sales, installment lease sales~~;~~ and any other transfer of tangible personal property when the title is retained as security for the payment of the purchase price and is intended to be transferred later. The term "retail sale" or "sale at retail" also means sale of products for internal human consumption to a person for resale through coin-operated vending machines when sold to a retailer whose gross receipts from the retail sale of tangible personal property derived through sales from vending machines are more than 50% of ~~his~~ the retailer's gross receipts, which tax shall be paid by the retailer to the State. The term "retail sale" or "sale at retail" does not include any sale by an executor or administrator in the settlement of an estate, unless ~~such~~ that sale is made through a retailer, or unless ~~such~~ that sale is made in the continuation or operation of a business; nor does the term include any other isolated transaction in which any tangible personal property is sold, transferred, offered for sale or delivered by the owner of the property, ~~such~~ that sale, transfer, offer for sale, or delivery not being made in the ordinary course of repeated and successive transactions of a like character by ~~such~~ that owner, ~~such~~ those transactions being elsewhere sometimes referred to as "casual sales." "Casual sales" includes transactions by a civic, religious or fraternal organization, which is not a registered retailer, at bazaars, fairs, rummage sales, picnics or similar events but not exceeding 8 days in a calendar year. The sale by a registered retailer of tangible personal property, which that retailer has used in the course of ~~his or its~~ business, is not a casual sale and is a retail sale subject to taxation under this Part, if that property is of a like character to that sold in the ordinary course of repeated and successive transactions. "Casual sale" shall not include any transaction in which tangible personal property is sold, transferred or offered for sale by a representative for the owner's account when ~~such~~ that representative is a registered retailer, in which event ~~such~~ that registered retailer shall have the same duties respecting ~~such~~ that sale as if ~~he~~ the retailer had sold on ~~his~~ the retailer's own account. "Retail sale" and "sale at retail" do not include the sale of tangible personal property which becomes an ingredient or component part of, or which is consumed or destroyed or loses its identity directly and primarily in either the production of, tangible personal property for later sale or lease, other than lease for use in this State, or the production of tangible personal property pursuant to a contract with the United States Government or any agency thereof, but shall include fuel and electricity. "Retail sale" and "sale at retail" do not include the sale, to a person engaged in the business of renting automobiles, of automobiles, or integral parts of automobiles or accessories to automobiles, for rental or for use in an automobile rented, on a short-term basis. It shall be considered that tangible personal property is "consumed or destroyed" or "loses its identity" in ~~such~~ that manufac-

ture, if it has a normal physical life expectancy of less than one year as a usable item in the use to which it is applied. "Retail sale" or "sale at retail" do not include the sale of containers, boxes, crates, bags, cores, twines, tapes, bindings, wrappings, labels and other packing, packaging and shipping materials when sold to persons for use in packing, packaging or shipping tangible personal property sold by them or upon which they have performed the service of cleaning, pressing, dyeing, washing, repairing or reconditioning in their regular course of business and which are transferred to the possession of the purchaser of ~~such~~ that tangible personal property.

Sec. 4. 36 MRSA §1760, sub-§31, as amended by PL 1985, c. 276, §3, is further amended to read:

31. Machinery and equipment. Sales of machinery and equipment for use by the purchaser directly and primarily in either the production of tangible personal property, which property is intended to be sold or leased ultimately for final use or consumption, or the production of tangible personal property pursuant to a contract with the United States Government or any agency thereof.

Sec. 5. Retroactivity. The Maine Revised Statutes, Title 36, section 1752, subsection 9-B, as repealed and replaced by Public Law 1987, chapter 497, section 19, shall apply retroactively beginning on January 1, 1985. Sections 1, 2 and 4 of this Part shall apply retroactively beginning on January 1, 1985.

Sec. 6. Effective date; repeal. Section 3 of this Part shall take effect on July 1, 1991. Section 2 of this Part is repealed on July 1, 1991.

PART W

Sec. 1. Advisory committee created. There is created the Advisory Committee to Update the Maine Aviation Systems Plan.

Sec. 2. Appointment. The advisory committee shall consist of 21 members as follows:

1. One Senator appointed by the President of the Senate;

2. Two Representatives appointed by the Speaker of the House of Representatives;

3. The Commissioner of Transportation;

4. The Director of the State Planning Office or the director's designee;

5. The Commissioner of Economic and Community Development or the commissioner's designee;

6. Five members representing different regional planning commissions or councils of government throughout the State, appointed by the Governor;

7. A representative of an association representing Maine municipalities, appointed by the Governor;

8. One member representing an association of Maine airport managers, appointed by the Governor;

9. Two members representing an association of Maine pilots, appointed by the Governor;

10. Three members representing the airline industry, appointed by the Governor; and

11. Three members representing the public, appointed by the Governor.

The advisory committee shall choose a chair from among its members.

Sec. 3. Duties. The advisory committee shall assist and advise the Department of Transportation in the update of the Maine Aviation Systems Plan. In updating the plan the advisory committee and the department shall:

1. Conduct a study of the current aviation system within the State;

2. Determine the viability of the current aviation system with respect to its part of a statewide or regional transportation system;

3. Project future needs for an effective aviation system in the State over the next 5 to 20 years including land purchases;

4. Establish realistic priorities for state and federal funding; and

5. Examine any other issues considered necessary by the advisory committee with respect to updating the plan.

Sec. 4. Compensation. Legislative members of the advisory committee shall receive legislative per diem for every day of attendance at scheduled meetings in accordance with the Maine Revised Statutes, Title 3, section 2. The public members and other members who are not state or municipal government employees or employees of councils of government shall receive expenses only in accordance with the Maine Revised Statutes, Title 5, chapter 379. Compensation shall be provided to members of the advisory committee following application to the Executive Director of the Legislative Council.

Sec. 5. Meetings. The advisory committee shall be eligible for compensation as provided in this resolve for an average of one meeting per month.

Sec. 6. Staff assistance. The Department of Transportation shall provide for staff assistance to the advisory committee to update the plan.

Sec. 7. Report. The advisory committee shall present its findings, including any necessary implementing legislation, to the First Regular Session of the 115th Legislature.

PART X

PL 1989, c. 495, §8 is amended to read:

Sec. 8. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	
FINANCE, DEPARTMENT OF		
Individual Income Tax Surplus Return Fund Program		
All Other	~~$16,500,000~~	$23,900,000

Provides funds to reimburse the General Fund for revenues lost that otherwise would have been collected except for the changes in income tax rates enacted in this Act. These funds shall not lapse, but shall be carried forward until June 30, 1991, to be used for the same purpose. These funds shall be transferred to the General Fund by the State Controller on a monthly basis to offset the impact of lower monthly revenue collections.

PART Y

Sec. 1. 22 MRSA §3772, sub-§4, as amended by PL 1983, c. 730, §4, is further amended to read:

4. Registrant. "Registrant" means a recipient of Aid to Families with Dependent Children under the United States Social Security Act, ~~Title IV (A)~~ Subchapter IV-A, who has registered with the ~~Welfare, Employment, Education and Training Program of the~~ Department of Human Services ~~or its successors~~ for education, training, supportive services and employment activities pursuant to the United States Social Security Act, ~~Title IV (C)~~ Subchapter IV-F or its successors.

Sec. 2. 22 MRSA §3781, as enacted by PL 1987, c. 856, §§7 and 10, is amended to read:

§3781. Additional Support for People in Retraining and Education Program established

1. Administration. The Additional Support for People in Retraining and Education Program shall be administered by the Department of Human Services ~~and jointly operated by the Department of Human Services, the Department of Labor and other state agencies having responsibilities relating to the goals of this program~~. The Department of Human Services ~~may~~ shall, consistent with the goals of the Additional Support for People in Retraining and Education Program, contract with the Department of Labor to implement this program ~~in selected areas of the State~~. The department may also contract with other public agencies, as well as private agencies and individuals, to implement this program in selected areas of the State.

2. Purpose. The purpose of this program is to provide services and support to recipients of Aid to Families with Dependent Children and food stamps and to reduce dependence on public assistance. The principal goal shall be to assist the recipient in securing stable employment which pays wages sufficient to maintain adequate family income without public assistance and to increase the basic life skills and self-confidence of the recipient.

3. Employability plan. The department and the client shall enter into ~~a contract~~ an employability plan to embody the goals of the client and the services and support of agencies' services offered by the program.

Sec. 3. 22 MRSA §3782, sub-§2, as enacted by PL 1987, c. 856, §§7 and 10, is repealed and the following enacted in its place:

2. Coordination. The program shall be coordinated as follows.

A. In areas where the department and the Department of Labor jointly provide service, the department shall coordinate the following functions:

(1) Identification of the program participant's pretraining needs;

(2) Provision of prevocational training as it relates to social development and life skills adjustment;

(3) Provision of support services; and

(4) Case management services for the participant's period of enrollment.

B. In areas where the department and the Department of Labor jointly provide service, the Department of Labor shall coordinate the following functions:

(1) Identification of training needs;

(2) Provision of prevocational training as it relates to employability development;

(3) Provision of skills training;

(4) Provision of access to education; and

(5) Job placement.

C. In areas where the department contracts with the Department of Labor, the Department of Labor's job training program shall coordinate the functions listed in paragraph A.

Sec. 4. 22 MRSA §3784, sub-§7, as enacted by PL 1987, c. 856, §§7 and 10, is repealed and the following enacted in its place:

7. Sunset. This section is repealed on April 1, 1990.

Sec. 5. 22 MRSA §3788 is enacted to read:

§3788. Program requirements

1. Notice of program assistance. The department shall provide written notice to all applicants for and recipients of the Aid to Families with Dependent Children program of the range of education, employment and training opportunities, and the types of support services, including transitional support services and medical assistance, available under the Additional Support for People in Retraining and Education Program, together with a statement that all registrants may make application for such opportunities and services.

2. Application; decision. All registrants shall be given the opportunity to apply for a particular type of training and support services at the office of the program provider serving the area in which that individual lives. The program provider shall issue a written decision promptly, in accordance with rules adopted by the department, on all applications and shall include the type and amount of assistance that has been authorized or denied. The registrant shall be given in writing the reasons and specific rules supporting that denial and an explanation of the individual's right to request a fair hearing.

3. Assessment. Each participant's case manager shall conduct an individualized assessment, including a personal meeting, to determine that individual's education and training needs and occupational goal. Literacy testing and basic assessment tools may be part of an individual's original assessment, if the case manager determines that it is necessary or the participant requests it. A participant shall be provided a more comprehensive assessment, including such instruments as a self-assessment survey, or literacy or vocational testing, only when a determination as to training needs and occupational goal cannot reasonably be made without further assessment.

4. Employability plan. An employability plan shall be adopted for each program participant which shall include that individual's education, training and employment plan and the support services necessary to participate in that plan. The participant's first employability plan shall be established promptly, in accordance with rules adopted by the department. The rules shall provide for an expedited procedure for the development of an employability plan when necessary to meet the participation or enrollment requirements of an educational institution or training program.

5. Provision of support services. Beginning January 1, 1990, payment for support services shall be furnished promptly in accordance with rules adopted by the department to, or on behalf of, eligible individuals as agreed to in the employability plan. The rules shall provide for an expedited procedure for payment for support services when those services are immediately necessary to enable the participant to participate in an approved education, training or employment plan.

6. Education and training service. When a particular approved education or training service is available at comparable quality and cost, including the cost of support services, and the implementation of the employability plan would not be unreasonably delayed, the program participant may choose to enroll for that service with the provider of that person's preference. If this decision is not mutually agreed to by the participant and the case manager, the decision shall be reviewed by the case manager's supervisor.

7. Readability. All notices, applications and decisions intended to be read by program applicants or participants shall be designed to be easily understood and shall have a readability score, as determined by a recognized instrument for measuring adult literacy, equivalent to no higher than a 6th grade reading level.

All rules required by this section, with the exception of those required under subsection 5, shall be adopted by October 15, 1989.

PART Z

36 MRSA §653, as amended by PL 1985, c. 785, Pt. A, §110, is further amended to read:

§653. Estates of veterans

The following estates of veterans are exempt from taxation:

1. Estates of veterans and servicemen.

C. The estates up to the just value of ~~$4,000~~ $5,000, having a taxable situs in the place of residence, of veterans who served in the Armed Forces of the United States during any federally recognized war period, including the Korean Campaign and the ~~Viet Nam~~ Vietnam War, when they shall have reached the age of 62 years or when they are receiving any form of pension or compensation from the United States Government for total disability, service-connected or nonservice-connected, as a veteran. The exemption provided in this paragraph shall apply to the property of ~~such~~ that veteran including property held in joint tenancy with ~~his or her~~ that veteran's spouse.

C-1. The estates up to the just value of ~~$5,000 for the 1978 tax year, and $6,000 for each tax year thereafter~~ $7,000, having a taxable situs in the place of residence of veterans who served in the Armed Forces of the United States during any federally recognized war period during or before World War I and who would be eligible for an exemption under paragraph C.

The exemption provided in this paragraph shall be in lieu of any exemption under paragraph C to which the veteran may be eligible and shall apply to the property of ~~such~~ that veteran, including property held in joint tenancy with ~~his or her~~ that veteran's spouse.

D. The estates up to the just value of ~~$4,000~~ $5,000, having a taxable situs in the place of residence, of the unremarried widow or minor child of any veteran

who would be entitled to ~~such~~ the exemption if living, or who is in receipt of a pension or compensation from the Federal Government as the widow or minor child of a veteran.

The estates up to the just value of ~~$4,000~~ $5,000, having a taxable situs in the place of residence, of the mother of a deceased veteran who is 62 years of age or older and is an unremarried widow who is in receipt of a pension or compensation from the Federal Government based upon the service-connected death of her son ~~;~~ .

D-1. The estates up to the just value of ~~$40,000~~ $47,500, having a taxable situs in the place of residence, for specially adapted housing units, of veterans who served in the Armed Forces of the United States during any federally recognized war period and who are paraplegic veterans, ~~so-called~~ so-called, within the meaning of the ~~U.S.~~ United States Code, Title 38, ~~chapter~~ Chapter 21, ~~section~~ Section 801, and who received a grant from the United States Government for ~~such~~ the specially adapted housing, or of the unremarried widows of ~~such~~ the veterans. The exemption provided in this paragraph shall apply to the property of ~~such~~ the veteran including property held in joint tenancy with ~~his or her~~ that veteran's spouse.

D-2. The estates up to the just value of ~~$5,000 for the 1978 tax year, and $6,000 for each tax year thereafter~~ $7,000, having a taxable situs in the place of residence of the unremarried widow or minor child of any veteran who would be entitled to an exemption under paragraph C-1, if living, or who is in receipt of a pension or compensation from the Federal Government as the widow or minor child of a veteran, and who is the unremarried widow or minor child of a veteran who served during any federally recognized war period during or before World War I.

The exemption provided in this paragraph shall be in lieu of any exemption under paragraph D to which the person may be eligible.

D-3. The estates up to the just value of ~~$5,000 for the 1978 tax year, and $6,000 for each tax year thereafter~~ $7,000, having a taxable situs in the place of residence of the mother of a deceased veteran who is 62 years of age or older and is an unremarried widow who is in receipt of a pension or compensation from the Federal Government based upon the service-connected death of her son and who is receiving the pension or compensation from the Federal Government based upon the service-connected death of her son during any federally recognized war period during or before World War I.

The exemption provided in this paragraph shall be in lieu of any exemption under paragraph D to which the person may be eligible.

E. The word "veteran" as used in this subsection shall mean any person, male or female, who was in active service in the Armed Forces of the United States during any federally recognized war period or the Korean Campaign or the ~~Viet Nam~~ Vietnam War; and who, if discharged, retired or separated from the Armed Forces, was discharged, retired or separated under other than dishonorable conditions. A veteran of the ~~Viet Nam~~ Vietnam War shall have served on active duty for a period of more than 180 days, any part of which occurred after August 4, 1964 and before May 7, 1975, except that if ~~he~~ the veteran died in service or was discharged for a service-connected disability after ~~such~~ that date. The "~~Viet Nam~~ Vietnam War" shall mean that period between August 5, 1964 and May 7, 1975 ~~;~~ .

F. To be eligible for exemption under this subsection:

(3) No exemption may be granted to any person under this subsection unless ~~such~~ the person is a resident of this State; and

(4) Notwithstanding any other provisions of this paragraph, prior to April 1, 1982, any person claiming an exemption under paragraph C who is receiving any form of pension or compensation from the Federal Government for total disability, service-connected or nonservice-connected, as a veteran, and any person claiming an exemption under paragraph C-1, D, D-1, D-2 or D-3 shall not be required to meet the standards specified in subparagraphs (1) and (2). Any such person who received an exemption in 1980 shall not be required to reapply in 1981. Exemptions granted under this section which are reimbursable pursuant to section 661 shall not be considered eligible for reimbursement under paragraph H. Any person whose exemption is reimbursable under section 661 shall, for 1981, be entitled to an extension until May 1, 1981, for filing a written application and written proof of entitlement for exemption with the assessors of the place in which the person resides, notwithstanding the provisions of paragraph G.

G. Any person who desires to secure exemption under this subsection shall make written application and file written proof of entitlement on or before the first day of April, in the year in which the exemption is first requested, with the assessors of the place in which the person resides. The assessors shall thereafter grant ~~such~~ the exemption to any person ~~while he~~ who is so qualified and ~~continues~~ remains a resident of that place or until they are notified of reason or desire for discontinuance.

H. Any municipality granting exemptions under this subsection shall have a valid claim against the State to recover 90% of the taxes lost by reason of ~~such~~ the exemptions as exceeds 3% of the total local tax levy, upon proof of the facts in form satisfactory to the

Commissioner of Finance. ~~Such~~ The claims shall be presented to the Legislature next convening.

I. No property conveyed to any person for the purpose of obtaining exemption from taxation under this subsection ~~shall~~ may be so exempt, ~~excepting~~ except property conveyed between husband and wife, and the obtaining of ~~such~~ exemption by means of fraudulent conveyance shall be punished by a fine of not less than $100 and not more than 2 times the amount of the taxes evaded by ~~such~~ the fraudulent conveyance, whichever amount is greater.

J. No person ~~shall~~ may be entitled to property tax exemption under more than one paragraph of this subsection.

K. In determining the local assessed value of the exemption, the assessor shall multiply the amount of the exemption by the ratio of current just value upon which the assessment is based as furnished in the assessor's annual return to the State Tax Assessor.

PART AA

Sec. 1. Legislative findings. The Legislature finds that:

1. Rapid changes are occurring in our environment, including the land, water, atmosphere and climate, as a result of human activities;

2. In order to identify and understand the impacts of these changes it is necessary to study and monitor undisturbed ecosystems;

3. The State has a vital interest in maintaining examples of the State's characteristic ecosystems in their natural state to provide ecological benchmarks in a changing world;

4. These undisturbed ecosystems also are critical to preserving the State's natural heritage and diversity;

5. These areas can provide important opportunities for the public to learn about the State's natural heritage; and

6. An effort to protect examples of characteristic state ecosystems will complement existing state conservation programs, such as the Critical Areas Program, the Land for Maine's Future Fund and the Natural Heritage Data System.

Sec. 2. Study of ecological reserves. The State Planning Office shall coordinate a study effort to design a system of ecological reserves in the State. For the purposes of this Act, "ecological reserves" means areas established to maintain representative examples of the State's characteristic natural ecosystems. The study should consider, but not be limited to:

1. How many reserves should be established;

2. What ecosystem types should be represented;

3. How large the reserves should be;

4. Distribution of reserves around the State;

5. Appropriate uses for the reserves;

6. The potential impact of a reserve system on the State's natural resource-based industries; and

7. Options for implementing the reserve system.

Sec. 3. Inventory. The study effort shall also include an inventory of potential ecological reserve sites on public or conservation ownerships. This inventory shall also identify ecosystem types that are not currently represented on these ownerships.

Sec. 4. Steering committee. The State Planning Office shall establish a steering committee to provide advice to the study effort. The steering committee shall include representatives from the Department of Conservation, the Department of Inland Fisheries and Wildlife, conservation interests, landowners and the university system.

Sec. 5. Report. The State Planning Office shall report its findings, together with any legislative recommendations, to the Joint Standing Committee on Energy and Natural Resources by February 1, 1991.

PART BB

Sec. 1. 2 MRSA §6, sub-§2, as repealed and replaced by PL 1981, c. 705, Pt. L, §§1 to 3, is amended to read:

2. Range 90. The salaries of the following state officials and employees shall be within salary range 90:

Superintendent of Banking;

Bureau of Consumer Credit Protection Superintendent;

State Tax Assessor; ~~and~~

Superintendent of Insurance;

Associate Commissioner for Programs, Department of Mental Health and Mental Retardation;

Associate Commissioner of Administration, Department of Mental Health and Mental Retardation; and

Associate Commissioner for Institutional Management.

Sec. 2. 2 MRSA §6, sub-§3, as amended by PL 1987, c. 715, §1, is further amended to read:

3. Range 89. The salaries of the following state officials and employees shall be within salary range 89:

Director of Public Improvements;

State Budget Officer;

State Controller;

Director of the Bureau of Forestry;

Chief of the State Police;

Director, State Planning Office;

Director, Energy Resources Office;

Public Advocate;

Commissioner of Defense and Veterans' Services;

Director of Human Resources; ~~and~~

Executive Director, Retirement System ~~.~~ ;

Director, Bureau of Mental Retardation;

Director, Bureau of Children with Special Needs; and

Director, Bureau of Mental Health.

Sec. 3. 5 MRSA §946, sub-§1, as enacted by PL 1983, c. 729, §4, is amended to read:

1. Major policy-influencing positions. The following positions are major policy-influencing positions within the Department of Mental Health and Mental Retardation. Notwithstanding any other provision of law, these positions and their successor positions shall be subject to this chapter:

A. Associate ~~Commissioner~~ Commissioners;

B. Director, Bureau of Mental Health;

C. Superintendent, Augusta Mental Health Institute;

D. Superintendent, Bangor Mental Health Institute;

E. Director, Bureau of Mental Retardation;

F. Superintendent, Pineland Center;

G. ~~Children's Services Executive Director~~ Director, Bureau of Children with Special Needs;

H. Director, Mental Retardation Facility;

I. Director, Elizabeth Levinson Center; ~~and~~

J. ~~Assistant~~ Assistants to the Commissioner ~~for Public Information.~~ ; and

K. Assistant Associate Commissioners.

Sec. 4. 34-B MRSA §3202, sub-§3, as enacted by PL 1983, c. 459, §7, is amended to read:

3. Appointment. The commissioner shall, with the advice of the Advisory Committee on Mental Health, appoint ~~and set the salaries for~~ the superintendent of each state mental health institute. The Governor shall establish the salary of each superintendent.

A. The commissioner and the advisory committee shall give due consideration to the appointee's qualifications and experience in administration and to ~~his~~ the appointee's qualifications and experience in health matters.

B. The appointments are at the pleasure of the commissioner.

Sec. 5. Legislative intent. It is the intent of the Legislature that any reduction in admissions and average length of stay at the Augusta Mental Health Institute and the Bangor Mental Health Institute shall result in a deauthorization of unnecessary positions and a reappropriation of funds saved to case management of community services for the mentally ill.

Sec. 6. Organization report. The interim superintendent of the Augusta Mental Health Institute shall report to the Joint Standing Committee on Human Resources no later than September 15, 1989, on the recommendations and findings of Health Consortium, Inc., relative to the management and organization of that facility. That report shall include recommended patient-to-staff ratios for medical doctors, psychiatrists, psychologists, nurses, physician assistants, clinical social workers, social workers, mental health workers and recreation aides. In addition, it shall indicate the recommended organization of this staffing and an institutional reorganization plan based on the recommendations of Quality Healthcare Resources, Inc., taking into consideration patient acuity and treatment needs.

Sec. 7. Individual assessments. The Department of Mental Health and Mental Retardation shall, immediately upon the effective date of this Act, establish review teams to complete a review of the treatment needs and current individual treatment plans of all patients residing at the Augusta Mental Health Institute and the Bangor Mental Health Institute for more than 60 days as of July 15, 1989. This review shall be conducted according to the quality and appropriateness of assessments, treatment services provided and discharge planning. The teams conducting this review shall not be limited to persons employed by the Augusta Mental Health Institute or the Department of Mental Health and Mental Retardation and shall include at least 2 persons who are employed outside State Government. The department shall issue a preliminary report by February 15, 1990 and the review of current residents shall be completed by July 1, 1990. A review of individual needs shall be ongoing. The recommendations generated by this review shall be utilized in preparing the department's budget request and shall form the basis for a budget which should be used as a basis for the department's biennial budget requests starting with the fiscal year 1992-93 budget.

Sec. 8. Systems Assessment Commission. The Systems Assessment Commission, called the "commission," shall consist of 7 voting members and 3 ex officio, nonvoting members.

A. Voting members of the commission shall be appointed as follows:

(1) One person knowledgeable about and experienced in state hospital administration and management;

(2) One board certified psychiatrist with experience in a state mental health institute;

(3) One person experienced in delivering medical treatment to mental health patients;

(4) The Director of the Maine Health Care Finance Commission;

(5) Two members of the public; and

(6) One patient advocate.

These members, with the exception of the Director of the Maine Health Care Finance Commission, shall be jointly appointed by the President of the Senate, the Speaker of the House of Representatives and the Governor no later than 30 days following the effective date of this Act.

B. The ex officio, nonvoting members of the commission shall be the Governor, or a designee, the President of the Senate, or a designee and the Speaker of the House of Representatives, or a designee.

C. The commission is established to review the costs of the Augusta Mental Health Institute and the Bangor Mental Health Institute and to evaluate and formulate specific proposals for alternative systems of care. The commission is authorized to determine how best to use state money in providing the most appropriate treatment for persons with severe long-term mental illness.

D. Each member of the commission shall be appointed to serve for the life of the commission. A member shall serve until a successor is appointed. A vacancy shall be filled as soon as practicable by appointment for the unexpired term in the manner of the original appointment.

E. Members shall be reimbursed at the legislative per diem and for expenses and travel.

F. The Chair of the Legislative Council shall call the first meeting of the commission within 30 days of the effective date of this Act. At the first meeting of the commission, the members shall elect a chair from among their membership. The commission shall meet as often as deemed necessary to conduct its business, but in no instances less than one time per month. Meetings are at the call of the chair. Decisions shall be made by a majority of those present and voting. A quorum shall be a majority of the voting members of the commission.

G. The commission has the following duties.

(1) The commission, with the assistance of the Department of Mental Health and Mental Retardation, the Superintendent of the Augusta Mental Health Institute, the Superintendent of the Bangor Mental Health Institute and any other agency or department of State Government, shall develop a long-range plan for the Augusta Mental Health Institute and the Bangor Mental Health Institute. The plan shall include consideration of the creation of a smaller acute care facility or facilities to take the place of the current facilities and any other option for humane, safe and cost-effective delivery of services to Maine's mentally ill citizens. Following the development of a long-range plan for the Augusta Mental Health Institute, the commission shall develop a plan for the Bangor Mental Health Institute. Any plans developed shall also include an assessment of the need for and delivery of community services, including consideration of the drafting of model legislation governing the delivery of mental health services statewide. The commission shall coordinate with the Bureau of Public Improvements, the State Capitol Commission and the Supreme Judicial Court Plan and Design Commission in the development of its plans for the Augusta Mental Health Institute and the Bangor Mental Health Institute.

(2) The commission shall issue a preliminary report to the Joint Standing Committee on Human Resources no later than January 15, 1990. Copies of this report shall be sent to the Maine Commission on Mental Health, legislative leadership, the Joint Standing Committee on Appropriations and Financial Affairs and to the Governor. The plan shall include a preliminary assessment of the issue. The commission shall include any necessary adjustments to its budget which reflect anticipated costs for contracts and other services necessary for the development of the long-range plan. A final report shall be issued to the 114th Legislature no later than April 1, 1990. This report shall include a complete plan for the Augusta Mental Health Institute and the Bangor Mental Health Institute, including a full assessment of an alternative facility or facilities, community resources which are needed, costs, time frames and necessary implementing legislation.

H. The commission may request the assistance, advice or opinion of any state agency or any other individual or organization deemed appropriate. Any state agency receiving a request shall render any assistance and advice to the commission.

I. The commission may contract for services necessary to carry out its duties.

J. The commission may accept gifts, bequests and federal funds, for purposes consistent with the objectives of this Act, to be used solely to carry out the purposes for which they are made.

PART CC

Sec. 1. 38 MRSA §603-A, sub-§2, as amended by PL 1985, c. 162, §9, is further amended to read:

2. Prohibitions. Except as provided in subsections 4, 4-A and 5, no person may use any liquid fossil fuel with a sulfur content exceeding the limits in paragraph A or any solid fossil fuel with a sulfur content to heat content ratio exceeding the limits of paragraph B.

A. The sulfur content for liquid fossil fuels is as follows.

(1) In the Central Maine, Downeast, Aroostook County and Northwest Maine Air Quality Control Regions, no person may use any liquid fossil fuel with a sulfur content greater than 2.5% until November 1, 1991, and 2.0% by weight any time ~~after November 1, 1973~~ thereafter. In the Metropolitan Portland Air Quality Control Region outside the Portland Peninsula Air Quality Control Region, no person may use any liquid fossil fuel with a sulfur content greater than 2.5% until November 1, 1991, and 2.0% by weight any time ~~after June 1, 1975~~ thereafter.

(2) In the Portland Peninsula Air Quality Control Region, no person may use any liquid fossil fuel with a sulfur content greater than 1.5% by weight any time after November 1, 1975.

B. The sulfur content for solid fossil fuels is as follows:

(1) 1.2 pounds sulfur per million British Thermal Units until November 1, 1991, and .96 pounds sulfur per million British Thermal Units thereafter, calculated as a calendar quarter average for sources in the Central Maine, Downeast, Aroostook County, Northwest Maine Air Quality Control Regions and that portion of the ~~Metropolitan~~ Metropolitan Portland Air Quality Region outside the Portland Peninsula Air Quality Region. A calendar quarter shall be composed of the months as follows: (1) January, February, March; (2) April, May, June; (3) July, August, September; and (4) October, November, December; and

(2) 0.72 pounds sulfur per million British Thermal Units calculated as a calendar quarter average for sources in the Portland Peninsula Air Quality Region.

A calendar quarter shall be composed of the months as follows: (1) January, February, March; (2) April, May, June; (3) July, August, September; and (4) October, November, December.

Sec. 2. 38 MRSA §603-A, sub-§4, as enacted by PL 1983, c. 504, §10, is amended to read:

4. Flue gas desulfurization. Any source that installs any approved flue gas desulfurization system or other prescribed sulfur removal device shall be permitted to use fuel with a sulfur content in excess of the limitations of subsection 2 such that, after control, total sulfur dioxide emissions do not exceed 2.4 pounds of sulfur dioxide per million British Thermal Units in any 24-hour period until November 1, 1991, and 1.92 pounds of sulfur dioxide per million British Thermal Units in any 24-hour period thereafter, or emission rates corresponding to the fuel sulfur limitations required for sources on the Portland peninsula.

Sec. 3. 38 MRSA §603-A, sub-§4-A is enacted to read:

4-A. Electrical generating facilities. Any electrical generating facility owned or operated by a regulated electric utility may use liquid fossil fuel with a sulfur content of up to 2.5% by weight provided that the facility has operated at an average of not more than 20% of its capacity factor over the most recent 4-year period. This exemption is not applicable to the ambient air quality provisions of this chapter.

PART DD

Sec. 1. 5 MRSA §1762, as repealed and replaced by PL 1981, c. 353, §1, is amended to read:

§1762. No facility constructed without life-cycle costs

No public improvement, as defined in this chapter, public school facility or other building or addition constructed or substantially renovated in whole or in part with public funds or using public loan guarantees, with an area in excess of 5,000 square feet, may be constructed without having secured from the designer a proper evaluation of life-cycle costs, as computed by a qualified architect or engineer. The requirements of this section with respect to substantial renovation shall pertain only to that portion of the building being renovated. Construction shall proceed only upon disclosing, for the design chosen, the life-cycle costs as determined in section 1764 and the capitalization of the initial construction costs of the facility or building. The life-cycle costs shall be a primary consideration in the selection of the design. As a minimum, the design shall meet the energy efficiency

building performance standards promulgated by the ~~Office of Energy Resources under Title 10, chapter 214~~ Department of Economic and Community Development.

Sec. 2. 5 MRSA §1764, sub-§1, as amended by PL 1981, c. 353, §2, is further amended to read:

1. Bureau of Public Improvements to promulgate rules and procedures. The Bureau of Public Improvements shall promulgate rules and procedures, including energy conservation guidelines which conform as a minimum to the energy efficiency building performance standards promulgated by the ~~Office of Energy Resources under Title 10, chapter 214,~~ Department of Economic and Community Development for conducting an energy-related life-cycle costs analysis of alternative architectural or engineering designs, or both, and shall evaluate the efficiency of energy utilization for designs in the construction and lease of public improvements and public school facilities. Such rules and procedures shall take effect 90 days after the enactment of this subchapter.

Sec. 3. 5 MRSA §3302, sub-§1, ¶F, as repealed and replaced by PL 1987, c. 534, Pt. A, §§7 and 19, is amended to read:

F. Continuing analysis of the economy of the State in conjunction with the Department of Economic and Community Development~~.~~; and

Sec. 4. 5 MRSA §3302, sub-§1, ¶G is enacted to read:

G. Preparation of state energy resources plans.

Sec. 5. 5 MRSA §3303, as enacted by PL 1967, c. 533, §1, is amended to read:

§3303. State Planning Office

There is established to carry out the purpose of this chapter a State Planning Office in the Executive Department which shall be concerned with ~~coordinating and developing the several planning responsibilities of the State Government~~ research, analysis and the formulation, coordination and management of policy. The State Planning Office shall be directly responsible to the Governor and shall serve as an advisory, consultative, coordinating, administrative and research agency as specified in section 3305. The State Planning Office shall assist 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.

~~**1. Responsibility.** A system of state planning and implementation being a function and responsibility of the executive branch of State Government, the State Planning Office shall be directly responsible to the Governor, and shall serve as an advisory, consultative, coordinating, administrative and research agency as specified in section 3305.~~

Sec. 6. 5 MRSA §3304, sub-§2, as enacted by PL 1967, c. 533, §1, is amended to read:

2. Qualifications. The director shall be qualified by education, training and experience in planning or public administration ~~with a master's degree in these or related fields~~.

Sec. 7. 5 MRSA §3304, sub-§3, as amended by PL 1979, c. 127, §36, is further amended to read:

3. Powers and duties. The director shall exercise the powers of the State Planning Office and shall be responsible for the execution of its duties. The director shall:

A. Appoint and remove the staff of the office and prescribe their duties as may be necessary to implement the purposes of this chapter. Professional employees authorized by this chapter shall be hired as unclassified employees, shall serve at the pleasure of the director and shall be paid salaries at rates of pay comparable to those of state employees with equivalent responsibilities in other state agencies. All other employees shall be subject to those civil service and personnel policies established for state employees generally and shall be paid salaries at rates of pay comparable to those of state employees with equivalent responsibilities in other state agencies.

(1) The State Planning Director is authorized to employ professional planning personnel competent by education, training and experience in ~~the fields of economics, local and regional planning, urban renewal, human resources, natural resources, transportation and engineering~~ fields such as economics, local and regional planning, public policy and natural resources.

(2) The director is authorized to employ such statistical, clerical and other office help as required and authorized by the budget~~.~~;

~~(3) The director is authorized to employ research personnel, competent by education, training and experience, to carry out the purposes of section 3305, subsection 1, paragraph H.~~

B. Supervise and administer the affairs of the State Planning Office and advise the Governor and the Legislature with respect to matters affecting ~~state, regional, and community planning generally and more specifically the extent to which the State should participate in such planning.~~ the State;

E. Advise the Governor and other officials of the State Government on all matters of ~~state-wide~~ policy, statewide planning and public investment and consult with them in respect to planning matters and projects which affect the future plans of the State ~~.~~ ;

F. Be assisted by departments, agencies, authorities, boards, commissions, other instrumentalities of the State or other governmental units in the gathering of information, reports and data which relate to state planning. The State Planning Office shall designate staff members of the office who shall work with the several departments; ;

G. At ~~his~~ the director's discretion, act for the State in the initiation of or participation in any multi-governmental agency program relative to the purposes of this chapter; ;

H. ~~The director shall prepare~~ Prepare and submit for executive and legislative action thereon the budget for the State Planning Office; ;

I. ~~The director shall make~~ Make reports at least annually to the Governor and to the Legislature on the activities of the office and, after consultation with and approval by the Governor, submit such recommendations for legislative action as deemed necessary to further the purposes of this chapter; ;

J. Be assisted by departments, agencies, authorities, boards, commissions and other instrumentalities of State Government in the gathering of information, reports and data which relate to state planning and development in the area of energy resources;

K. Formulate a biennial state energy resources plan;

L. Be empowered, in connection with the performance of duties, to apply to the Superior Court for a subpoena to compel the attendance of witnesses, the production of books, papers, records and documents of individuals, firms, associations and corporations and all officers, boards, commissions and departments of State Government. The court, before issuing the subpoena, shall provide adequate opportunity for the director and the party against whom the subpoena is requested to be heard. No such subpoena may be issued unless the court or judge certifies that the attendance of the witness or the production of the books, papers, records or documents is reasonably necessary to carry out the purposes of this section and that the director has made reasonable efforts to secure the attendance or the books, papers, records or documents without recourse to compulsory process. The director shall afford confidential treatment to any materials or information turned over to the director which is of a confidential or proprietary nature;

M. Administer any emergency fuel allocation program described in section 3307-D and have the authority to collect inventory and product delivery data from the State's primary storage facilities of petroleum products, as described in section 3307-C, and shall afford confidential treatment to that information; and

N. Oversee the implementation of any energy programs assigned to the State Planning Office under this chapter.

Sec. 8. 5 MRSA §3305, sub-§1, ¶A, as amended by PL 1987, c. 534, Pt. A, §§8 and 19, is further amended to read:

A. Coordinate the preparation of ~~goals and~~ policies to guide and carry forward the wise and coordinated development of the State's economy and its energy resources and the conservation of the State's natural resources. These ~~goals and~~ policies and recommendations for implementation shall be submitted to the Governor and Legislature for their approval. They shall be developed in such areas as: Land use, ~~housing,~~ natural resource development and conservation, public investment and taxation, energy resources and state regulatory policy.

The State Planning Office shall give the public full opportunity to participate in the formulation of these ~~goals and~~ policies and these ~~goals and~~ policies shall not be in direct conflict with adopted local and regional plans;

Sec. 9. 5 MRSA §3305, sub-§1, ¶B, as repealed and replaced by PL 1979, c. 672, Pt. A, §5, is amended to read:

B. Provide technical assistance to the Governor and Legislature by undertaking special studies and plans ~~and preparing policy alternatives~~, preparing or analyzing policy alternatives and identifying the immediate and long-range needs and resources to meet these needs in the areas of energy and natural resources and socioeconomics. The office shall prepare the plans and studies at the request of the Governor, the Legislature or interdepartmental committees, councils and task forces;

Sec. 10. 5 MRSA §3305, sub-§1, ¶G, as amended by PL 1987, c. 534, Pt. A, §§10 and 19, is further amended to read:

G. As coordinating agency:

(1) Act as the coordinating agency between the several officers, authorities, boards, commissions, departments and divisions of the State in matters relative to the physical development of the State and review the proposals of those agencies in the light of their relationship to the adopted ~~goals and~~ policies and incorporate such reviews in the reports of the office. Nothing in this section may be construed as limiting the powers and duties of any officer, authority, board, commission, department or political subdivision of the State; and

(2) Provide general coordination and review of plans in functional areas of State Govern-

ment as may be necessary for receipt of federal funds; ~~and~~

Sec. 11. 5 MRSA §3305, sub-§1, ¶H, as amended by PL 1987, c. 534, Pt. A, §§11 and 19, is further amended to read:

H. Compile, analyze and maintain information useful to the development of industry in the State concerning resources, sites, space, equipment, adequate housing, contracts, materials, transportation, markets, labor supply, population trends and other economic considerations and shall measure and monitor economic distress and poverty in the State on an ongoing basis. The State Planning Office, in conjunction with the Department of Economic and Community Development, shall study problems peculiar to the industry and economy of this State with a view toward the broader utilization of our natural resources, which studies shall be advanced by coordination of research with existing private and governmental agencies and educational institutions, and may be advanced by contractual relations with persons or organizations equipped to conduct the needed research. The State Planning Office shall, upon request from the Governor or any state department, assist in the preparation of reports regarding the responsibilities and duties provided by this subsection, including regular analysis of poverty and economic distress. The State Planning Office shall coordinate its activities pursuant to this paragraph with the Division of Community Services to meet the annual reporting needs of the division ~~.~~ ; and

Sec. 12. 5 MRSA §3305, sub-§1, ¶¶J and K are enacted to read:

J. Coordinate the review and comment on all applications for participation in any federal grant or loan program and on any proposed federal activity subject to Presidential Executive Order 12372; and

K. Coordinate the development of energy policy, including:

(1) Collecting and analyzing energy data from all available energy sources in the State. The director shall afford confidential treatment to information, documents and data dealing with sales of individual companies that are engaged in the wholesale and retail trade of petroleum products in the State, upon request of the individual companies;

(2) Preparation of an energy resources plan to be submitted to the Governor and the Legislature every 2 years that includes a description of historical energy demand by end-use sector and energy resources used to meet that demand and a forecast of energy demand by end-use sector for the next 5 years, 10 years and 20 years, which shall include an electric and gas forecast;

(3) Encouragement and direction or sponsorship of research, experiments and demonstration projects within the State to develop alternate energy sources, particularly, but not limited to, those sources that rely on renewable natural resources of the State, such as solar energy, water of tides and rivers, forests, winds and other sources which to date have not been fully explored or utilized; and

(4) Provision of conservation alternatives to proposed new electric power generating plants and assessment of the long-term and short-term energy savings realized by the conservation alternatives.

Sec. 13. 5 MRSA §§3307-B to 3307-D are enacted to read:

§3307-B. Maine Energy Resources Development Program

The State Planning Office, as funding allows, shall administer a program of energy research and demonstration activities related to both the use of indigenous, renewable resources and more efficient use of energy. The Director of the State Planning Office may accept private money for the purpose of pursuing this program.

1. Report to Legislature. The director shall include, in the biennial comprehensive energy plan, a report which specifies, in regard to the Maine Energy Resources Development Program, the expenditure of the funds, the purposes for which the funds were used and the amount of as well as the sources from which the funds were derived.

2. Expenditures requiring approval. For all programs involving expenditures of $10,000 or more, the director shall recommend those expenditures to the Governor. If the Governor approves, the director shall recommend those expenditures to the Legislature under the procedures authorizing the transfer of funds set forth in section 1585.

§3307-C. Definitions; reporting of petroleum inventories and deliveries

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Petroleum products" means propane; gasoline; unleaded gasoline; gasohol; kerosene; #2 heating oil; diesel fuel; kerosene-based jet fuel; aviation gasoline; #4, #5 and #6 residual oil for utility and nonutility uses; and Bunker C oil.

B. "Primary storage facilities" means any facility which receives petroleum products into the State either by pipeline or ship.

C. "Primary supplier" means any refiner, marketer, distributor, firm or person who makes the first sale of any petroleum product to resellers or consumers in this State.

2. Reporting. Each owner or lessee of primary storage facilities or petroleum products in the State shall make an accurate report on the first and 3rd Monday of each month to the State Planning Office on a form provided by the director. This form shall contain a conspicuous statement of the penalties provided in subsection 4 and shall require the following information:

A. The total inventory of each petroleum product stored in the State, as measured within not more than 3 working days prior to the reporting date; and

B. The quantities of each petroleum product delivery expected into the State within 15 days of the reporting date.

3. Reporting of primary suppliers. Each primary supplier of petroleum products shall make an accurate report on the 3rd Monday of each month to the State Planning Office on a form provided by the director, unless the report is already being submitted in accordance with federal regulations.

This form shall contain a conspicuous statement of the penalties provided in subsection 4 and shall require the following information:

A. Actual deliveries of all petroleum products in this State during the preceding calendar month;

B. Anticipated deliveries of all petroleum products in this State during the following calendar month; and

C. Allocation fractions for all petroleum products for the following month.

4. Penalty provisions. Any owner or lessee of a primary storage facility or any primary supplier covered by this section who fails to provide the information required by this section or who knowingly or recklessly supplies false or misleading information is guilty of a violation of Title 17-A, section 453. Any owner or lessee of a primary storage facility who supplies false or misleading information is subject to a civil penalty of $2,500, payable to the State, to be recovered in a civil action.

§3307-D. State petroleum set aside

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Assignment" means an action taken by the State Planning Office designating that a prime supplier of petroleum products supply them to an authorized consumer, wholesale purchaser-consumer or wholesale purchaser-reseller to facilitate relief or emergency and hardship needs, pursuant to subsection 2.

B. "Consumer" means any individual, trustee, agency, partnership, association, corporation, company, municipality, political subdivision or other legal entity which purchases petroleum products for ultimate consumption in this State.

C. "Director" means the Director of the State Planning Office.

D. "Firm" means any association, company, corporation, estate, individual, joint venture, partnership or sole proprietorship or any entity however organized, including charitable, educational or eleemosynary institutions and the Federal Government, including federal corporations, departments and agencies and State Government and local governments.

E. "Petroleum products" means propane; gasoline; unleaded gasoline; gasohol; kerosene; #2 heating oil; diesel fuel; kerosene-based jet fuel; aviation gasoline; #4, #5 and #6 residual oil for utility and nonutility uses; and Bunker C oil.

F. "Prime supplier" means the supplier which makes the first sale of any petroleum products subject to the state set aside into the state distribution system for consumption within the State.

G. "Purchaser" means a wholesale purchaser or end user, or both.

H. "Set aside" means, with respect to a particular prime supplier, the amount of a petroleum product, subject to the provisions of this section, which is made available from the total supply of a prime supplier pursuant to subsection 2 for utilization by the State Planning Office to resolve emergencies and hardships due to fuel shortages or dislocations in distribution systems.

I. "Supplier" means any firm or any part or subsidiary of any firm, other than the Department of Defense and Veterans' Services, which presently supplies, sells, transfers or otherwise furnishes, as by consignment, any product subject to the state set aside to wholesale purchasers or end users, including refiners, natural gas processing plants or fractionating plants, importers, resellers, jobbers and retailers.

J. "Wholesale purchaser" means a wholesale purchaser-reseller or wholesale purchaser-consumer, or both.

K. "Wholesale purchaser-consumer" means any firm that is an ultimate consumer which, as part of its normal business practices, purchases or obtains a product subject to the state set aside from a supplier and receives delivery of that product into a storage tank substantially under the control of that firm at a fixed location.

L. "Wholesale purchaser-reseller" means any firm which purchases, receives through transfers or otherwise obtains, as by consignment, a product subject to the state set aside and resells or otherwise transfers

it to other purchasers without substantially changing its form.

2. General provisions. The general provisions of this section are as follows.

A. The director shall promulgate rules in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, establishing a set-aside system for petroleum products. These rules shall direct prime suppliers to set aside a percentage of the amount of petroleum products they expect to deliver to consumers in the State for distribution by the State Planning Office to meet emergency and hardship needs. These rules shall meet the requirements of this section.

B. The set-aside system established pursuant to this section shall not be implemented unless:

(1) The Federal Government terminates, suspends or fails to implement a national set-aside program; and

(2) The Governor finds that a set-aside system is necessary to manage an energy shortage within the State which threatens the continuation of essential services and the needs of priority users. The Governor shall direct the State Planning Office to implement only that portion of the state set-aside program necessary to prevent and alleviate any energy hardship shortages.

C. The director shall notify each prime supplier of the monthly set-aside percentage, not to exceed 5%, applicable to each product subject to the set-aside program.

D. The set-aside volume available to the State Planning Office for a particular month shall be the sum of the amounts calculated by multiplying the state set-aside percentage level by each prime supplier's estimated portion of its total supply for that month which will be sold into the State's distribution system for consumption within the State. The set aside for a particular month may not be accumulated or deferred, but shall be made available from stocks of prime supplies whether directly or through their wholesale purchaser-resellers.

E. The director shall calculate the set-aside volume for a particular month from the supplier's monthly report or in accordance with section 3307-C.

F. The director shall establish, as part of the rules promulgated in accordance with paragraph A, procedures governing applications for assignment and assignments by the State Planning Office under the state set-aside system. Such procedures shall include criteria for approving and disapproving applications and an appeal process.

G. The release of set aside shall be as follows.

(1) At any time during the month, the director may order the release of part or all of the other prime supplier's set-aside volume through the prime supplier's normal distribution system in the State.

(2) The State Planning Office shall release set aside to meet the emergency and hardship requirements of all purchaser-consumers and consumers within the State. In order to facilitate relief of the hardship and emergency requirements of wholesale purchaser-consumers and consumers, the State Planning Office may direct that a wholesale purchaser-reseller supply the wholesale purchaser-consumer and consumers experiencing the hardship or emergency.

(3) From time to time, the director may designate certain geographical areas within the State as suffering from an intrastate supply imbalance. At any time during the month, the director may order some or all of the prime suppliers with purchasers within such geographical areas to release part or all of their set-aside volume through their normal distribution systems to increase allocations of all the supplier's purchasers located within the areas.

(4) Orders issued pursuant to this section shall be in writing and effective immediately upon presentation to the prime supplier's designated state representative. Those orders shall represent a call on the prime supplier's set-aside volumes for the month of issuance, notwithstanding that delivery cannot be made until the following month.

H. Each prime supplier shall designate a representative within the State to act for and in behalf of the prime supplier with respect to the state set-aside program. Each prime supplier for a state shall notify in writing the State Planning Office of that designation.

I. Any assignments or order made under this section shall specify that the product be made available to the consumer, wholesale purchaser-consumer or wholesale purchaser-retailer at prices prevailing for similar classes of purchasers in the locality of the consumer, wholesale purchaser-consumer or wholesale purchaser-retailer at the time of the sale of the product.

J. The set-aside program shall remain in effect no longer than 180 days without approval of the Legislature. In the event that the Governor finds that the set-aside system is no longer necessary to manage an energy shortage, the Governor shall terminate the program.

3. Violations; penalties. Violations and penalties of this section are as follows.

A. Any person who violates any provision of this section or any rule or order issued pursuant to this section shall be subject to a civil penalty of not more than $10,000 for each violation.

B. The penalty provided in paragraph A shall be recovered in an action or special proceeding brought by the Attorney General.

C. Alternately, or in addition to the action or proceeding to recover the civil penalty provided by paragraph A, the Attorney General may institute an action or proceeding to enjoin any violation of or to enforce any provision of this section or any rule or order issued under this section.

Sec. 14. 5 MRSA c. 338, as amended, is repealed.

Sec. 15. 5 MRSA §12004-I, sub-§20, as enacted by PL 1987, c. 786, §5, is repealed.

Sec. 16. 5 MRSA §13058, sub-§§11 to 17 are enacted to read:

11. Federally mandated programs. The commissioner shall administer the following federally mandated programs, formerly administered by the Office of Energy Resources:

A. State Energy Conservation Program (SECP);

B. Energy Extension Service (EES); and

C. Institutional Conservation Program (ICP).

12. Energy conservation standards. The commissioner shall adopt energy conservation standards and promulgate rules for administration of the standards and the certification of energy efficient buildings, as defined in Title 10, chapter 214.

13. Approval or denial of certificates. The commissioner shall provide for the approval or denial of certificates of energy efficiency, as required in Title 10, chapter 214.

14. Preparation of manual. The commissioner shall prepare the Manual of Accepted Practices, as described in Title 10, chapter 214.

15. Review and inspection. The commissioner shall provide for the review of plans and specifications and the inspection of buildings to determine compliance of the building with the energy conservation standards, as described in Title 10, chapter 214.

16. Administration of state standards. The commissioner shall administer the state standards for appliance energy efficiency, as established by section 13060.

17. Rule-making authority. If the Residential Conservation Service, as established by the United States Natural Energy Conservation Policy Act, Public Law 95-619, November 9, 1978, as amended by the United States Energy Security Act, Public Law 96-294, June 30, 1980, the United States Code, Title 42, Section 8211 et seq., is repealed or amended so as to have the effect of removing requirements for providing energy conservation information and energy audits and arranging financing for energy conservation improvements for residential customers, the commissioner may promulgate rules pursuant to the Maine Administrative Procedure Act, Title 5, chapter 375, to continue these services. In establishing these rules, the commissioner shall simplify federal rules, insofar as possible, without preventing fulfillment of the program objectives and in no case may the commissioner impose rules containing additional requirements for utilities.

Until the commissioner promulgates new rules under this paragraph, the previously existing federal regulations and any state rules implementing them shall be considered state rules with full force.

Sec. 17. 5 MRSA §13060 is enacted to read:

§13060. State standards for appliance energy efficiency

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "ASHRAE standard" means standards established by the American Society of Heating, Refrigerating and Air Conditioning Engineers.

B. "Manufacturer" means any person or business entity engaged in the original production or assembly of an appliance.

C. "New appliance" means an appliance that is sold, offered for sale or installed the first time and specifically includes floor models and demonstration units.

D. With respect to refrigerators, refrigerator-freezers and freezers:

(1) "Freezer" means a cabinet designed as a unit for the storage of food at temperatures of about 0° Fahrenheit, having the ability to freeze food and having a source of refrigeration requiring an energy input;

(2) "Refrigerator" means a cabinet designed for the refrigerated storage of food at temperatures above 32° Fahrenheit and having a source of refrigeration requiring an energy input. It may include a cabinet with a compartment for the freezing and storage of food at temperatures below 32° Fahrenheit, but which does not provide a separate low temperature compartment designed for the freezing of and the long-term storage of food at temperatures below 8° Fahrenheit. It has

only one exterior door and may have interior doors or compartments; and

(3) "Refrigerator-freezer" means a cabinet which consists of 2 or more compartments with at least one of the compartments designed for the refrigerated storage of foods at temperatures above 32° Fahrenheit and with at least one of the compartments designed for the freezing of and the storage of frozen foods at temperatures of 8° Fahrenheit or below. The source of refrigeration requires energy input.

E. With respect to water heaters:

(1) "Storage-type water heater" means a water heater that heats and stores water within the appliance at a thermostatically controlled temperature for delivery on demand.

2. Efficiency standards. Efficiency standards shall be determined as follows.

A. The following are minimum energy efficiency standards for new residential gas and electric water heaters, oil and gas furnaces and boilers, refrigerators, refrigerator-freezers and freezers. Refrigerators, refrigerator-freezers and freezers shall be certified by the manufacturer not to exceed the values derived from the appropriate formulae when V is the total refrigerated volume in cubic feet and EC is the energy consumption in kilowatt hours per year:

Appliance	Standard
(1) Refrigerators	
Single door, manual defrost	EC=395 x 28V
Single door, automatic defrost	No standard
(2) Refrigerator-freezers	
Top freezer, partial automatic defrost	EC=378 x 43V
Top freezer, automatic defrost	EC=378 x 43V
Bottom freezer, automatic defrost	No standard
Side-by-side, automatic defrost	EC=565 x 52V
(3) Freezers	
Upright, manual defrost, between 11.5 and 21.4 cubic feet in volume	EC=289 x 37V
Upright, automatic defrost	No standard
Chest, manual defrost	EC=315 x 32V
(4) Water heaters	
Electric	ASHRAE Standard 90A-1980 Section 7 Energy Factor (EF)=48°
Gas	
(5) Furnaces and boilers	
Oil	No standard
Gas	No standard

B. The following residential appliances are covered by this section:

(1) Only storage-type water heaters;

(2) Gas furnaces and boilers; and

(3) Refrigerators, refrigerator-freezers and freezers which can be operated by alternating current electricity, excluding the following types:

(a) Those with total refrigerated volume exceeding 39 cubic feet;

(b) Those designed to be used without doors;

(c) Those which do not include compressor and condenser units as an integral part of the cabinet assembly; and

(d) Those with "through the door" features.

C. This section does not apply to:

(1) New residential appliances manufactured in the State and sold outside the State;

(2) New appliances manufactured outside the State and sold at wholesale in the State for final retail sale and installation outside the State;

(3) Appliances installed in mobile homes at the time of construction;

(4) Appliances designed expressly for installation and use in recreational vehicles or other equipment designed for regular mobile use; and

(5) Appliances purchased outside of the State by Maine residents when the appliance is installed for use by the purchaser or installed in a single-family, detached structure.

3. Prohibitions. No new appliance may be sold, offered for sale or installed in the State on or after January 1, 1990, unless it is certified by the manufacturer to be in compliance with the standards adopted under subsection 2 or unless there is no state standard adopted for that type of appliance.

4. Test methods. The manufacturer shall cause the testing of samples of each model of each residential appliance covered by this section. The State Development Office shall use the United States Department of Energy approved test methods or, in the absence of those test methods, other appropriate nationally recognized test methods applicable to the respective appliances.

5. State Development Office. In order to reduce the wasteful, uneconomic, inefficient or unnecessary consumption of energy, the State Development Office shall:

A. Be responsible for the administration and enforcement of the appliance standards established by this section; and

B. Apply to the United States Department of Energy for an exemption from federal preemption, pursuant to the United States Energy Conservation Policy Act, Section 327(b), (3), or its successor.

6. Forfeiture. Any person who violates this section either personally or through an agent or employee is subject to a civil forfeiture of not more than $500 for each violation. For purposes of this section, the sale, installation or offer for sale of any new appliance that fails to meet the standards prescribed in subsection 2 shall constitute a violation.

Sec. 18. 7 MRSA §2, next to last ¶, as amended by PL 1981, c. 372, is further amended to read:

In addition, the commissioner shall be concerned with the quality of life of Maine farmers and rural communities. The commissioner shall promote: Farm financing and rural development proposals; conservation and preservation of agricultural lands; increased and improved production of beef, poultry, sheep, dairy beef and other livestock; expanded and improved production of potatoes, fruits and other vegetables and horticultural ventures; coordinated foreign and domestic marketing of Maine agricultural products; in conjunction with the university, crop development and integrated pest management; and conservation of nonrenewable energy resources and utilization of renewable energy resources in conjunction with the ~~Office of Energy Resources~~ State Planning Office. To accomplish these objectives, the commissioner is authorized for, or on behalf of, Maine's farmers and rural community: To engage in research and educational programs; to participate directly or indirectly in ~~program~~ programs to encourage and enable individuals to enter agricultural or other rural enterprises; to institute litigation or upon request to represent farmers or other members of the rural community in litigation where ~~he~~ the commissioner determines that such litigation may be beneficial to agricultural industry as a whole; and to exercise all other powers of an agency of State Government. The commissioner may study such issues and, consistent with statute, take such actions either individually, for, or on behalf of, the ~~state's~~ State's farmers or rural residents, or jointly with such other persons, agencies or organizations as ~~he~~ the commissioner determines may benefit the ~~state's~~ State's farmers and rural communities.

Sec. 19. 10 MRSA §1041, sub-§16, as enacted by PL 1985, c. 344, §61, is amended to read:

16. Energy conservation. Provide financial assistance for energy conservation. The ~~Office of Energy Resources~~ Department of Economic and Community Development shall provide assistance to the authority in determining technical eligibility and merit of applications for energy conservation loans. Each recipient of a loan under this section shall provide the authority, within one year, with detailed information on energy consumption before and after the completion of the energy conservation project; and

Sec. 20. 10 MRSA §1063, sub-§2, ¶J, as amended by PL 1985, c. 714, §35, is further amended to read:

J. In the case of an energy generating system, an energy distribution system or an industrial-commercial project, any of which includes hydroelectric facilities deemed necessary for the production of electricity:

(1) The Public Utilities Commission has certified that all required licenses have been issued or that none are required; and

(2) The Director of ~~Energy Resources~~ the State Planning Office has reviewed and commented upon the project proposal. The Director of ~~Energy Resources~~ the State Planning Office shall make ~~his~~ comments within 30 days after receipt of a notification and copy of the project proposal from the authority. The authority shall take the comments into consideration in its consideration of the project; and

Sec. 21. 10 MRSA §1413, sub-§7, as enacted by PL 1979, c. 503, §2, is amended to read:

7. Commissioner. ~~"Director"~~ "Commissioner" means the ~~Director~~ Commissioner of ~~the Office of Energy Resources~~ Economic and Community Development.

Sec. 22. 10 MRSA §1413, sub-§11, as amended by PL 1989, c. 75, §2, is further amended to read:

11. Manual of Accepted Practices. "Manual of Accepted Practices" means the Manual of Accepted Practices prepared by the ~~Office of Energy Resources~~ State Development Office in conformance with the mandatory standards for residential construction as defined in section 1415-C.

Sec. 23. 10 MRSA §1414-A, as enacted by PL 1985, c. 370, §3, is amended to read:

§1414-A. Adoption of energy performance building standards by state agencies

Energy performance building standards adopted by state agencies shall be coordinated with each other, as far as practicable, so that similar activities and buildings are treated in a similar way. The ~~Director of the Office of Energy Resources~~ Commissioner of Economic and Community Development shall assist other state agencies in developing energy standards which comply with this section.

Sec. 24. 10 MRSA §1419, as enacted by PL 1979, c. 503, §2, is repealed.

Sec. 25. 10 MRSA §1464, as enacted by PL 1981, c. 499, §1, is amended to read:

§1464. Regional Ride Share Services Matching Fund Program

There is established, to carry out the purposes of this chapter, a Regional Ride Share Services Matching Fund Program to be administered by the ~~Office of Energy Resources~~ Department of Economic and Community Development.

Sec. 26. 10 MRSA §1485, first ¶, as enacted by PL 1979, c. 212, is amended to read:

The ~~State Office of Energy Resources~~ Department of Economic and Community Development shall prepare, and shall keep current, an informational pamphlet concerning insulation materials being used in the State. The pamphlet shall discuss the characteristics of these insulation materials and the positive and negative effects which may result following installation of these materials. The pamphlet shall also include, but shall not be limited to:

Sec. 27. 10 MRSA §1485, sub-§5, as enacted by PL 1979, c. 212, is amended to read:

5. Other information. Such other information as the ~~State Office of Energy Resources~~ Department of Economic and Community Development shall deem necessary or appropriate.

Sec. 28. 10 MRSA §1485, 3rd ¶ from the end, as enacted by PL 1979, c. 212, is amended to read:

The ~~State Office of Energy Resources~~ Department of Economic and Community Development shall furnish this pamphlet, upon request, to any citizen of this State without charge.

Sec. 29. 10 MRSA §1492, sub-§1, as enacted by PL 1979, c. 299, is amended to read:

1. Solar energy equipment. "Solar energy equipment" means all controls, tanks, pumps, heat exchangers, collectors and all other equipment necessary for the collection, transfer and storage of solar energy, as determined by the ~~Office of Energy Resources~~ State Planning Office. Passive solar energy systems or those systems using natural means to collect, store and transfer solar energy shall not be included under this chapter.

Sec. 30. 10 MRSA §1493, first ¶, as enacted by PL 1979, c. 299, is amended to read:

The ~~Office of Energy Resources~~ Department of Economic and Community Development shall establish an express warranty for the sale and installation of solar energy equipment in Maine. This express warranty shall, at a minimum, include the following:

Sec. 31. 22 MRSA §676, sub-§6, as enacted by PL 1983, c. 345, §§13 and 14, is amended to read:

6. Energy. The ~~Office of Energy Resources~~ State Planning Office shall serve as liaison with the United States Department of Energy.

Sec. 32. 25 MRSA §2465, sub-§5-A, as enacted by PL 1983, c. 231, §1, is amended to read:

5-A. Safety information. No new factory-built fireplace, fireplace stove or solid fuel burning room heater may be sold in retail trade, unless the seller provides the buyer, on or before the sale, with an installation instruction manual or, in the case where such a manual is not available, with a publication of the ~~Office of Energy Resources~~ Department of Economic and Community Development containing recommended clearances the same as those prescribed in the National Fire Protection Association Code #211, The Standards for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances, as approved by the Office of the State Fire Marshal.

Sec. 33. 25 MRSA §2465, sub-§6, as amended by PL 1983, c. 231, §§1 and 2, is further amended to read:

6. Penalty. Any person who, for compensation, constructs or installs chimneys, fireplaces, vents or solid fuel burning appliances in violation of the standards, and permits such violation to remain uncorrected after 30 ~~days~~ days' notice from any official empowered to enforce this section, shall be considered guilty of a civil violation and shall be subject to a forfeiture of not more than $500 for each violation. The court may waive any penalty or cost against any violator upon satisfactory proof that the violation was corrected within 30 days of the issuance of a complaint.

Any person who fails to provide a purchaser with an instruction manual or the authorized publication of the ~~Office of Energy Resources~~ Department of Economic and Community Development, as described in subsection 5-A, commits a civil violation for which a forfeiture of not less than $200 nor more than $500 for the first offense and not less than $500 nor more than $800 for each subsequent offense shall be adjudged. In addition to the civil penalty provided in this subsection, any violation of this chapter constitutes a violation of Title 5, chapter 10.

Sec. 34. 30-A MRSA §3272, sub-§2, ¶A, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106, and as

amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

A. The commission may seek technical assistance from the ~~Office of Energy Resources~~ Department of Economic and Community Development. That ~~office~~ department shall notify local energy commissions, in writing, of plans and projects that may affect those commissions, if the commission so requests.

Sec. 35. 30-A MRSA §3272, sub-§3, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106, and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Notice of formation; records, annual report. The commission shall notify the ~~Office of Energy Resources~~ Department of Economic and Community Development of its formation. The commission shall keep records of its meetings and activities and shall make an annual report to the municipality.

Sec. 36. 30-A MRSA §4912, first ¶, as enacted by PL 1987, c. 737, Pt. A, §2 and Pt. C, §106, and as amended by PL 1989, c. 6; c. 9, §2; and c. 104, Pt. C, §§8 and 10, is further amended to read:

The Maine State Housing Authority in consultation with the ~~Office of Energy Resources~~ Department of Economic and Community Development shall develop guidelines defining energy improvements which may be made with proceeds of home improvement notes.

Sec. 37. 32 MRSA §8002, as enacted by PL 1979, c. 277, §2, is amended to read:

§8002. Installation training

The ~~Office of Energy Resources~~ Department of Economic and Community Development shall establish a voluntary training program for installers of solar energy equipment.

This training program shall consist of a minimum of 15 hours of instruction in the various aspects of solar energy system installation. The course content for the installation training program shall be developed by the ~~Office of Energy Resources~~ Department of Economic and Community Development, in cooperation with the Plumbers' Examining Board. The ~~Office of Energy Resources~~ Department of Economic and Community Development shall, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, promulgate all necessary rules pertaining to qualifications, certification and recertification of solar energy and inspection thereof, consistent with this chapter ~~and Title 5, section 5005, subsection 1, paragraph O~~.

Sec. 38. 32 MRSA §8003, as amended by PL 1983, c. 553, §46, is further amended to read:

§8003. Installer certification

Upon notice from the ~~Office of Energy Resources~~ Department of Economic and Community Development, the Department of ~~Business, Occupational and~~ Professional and Financial Regulation shall issue solar energy installer's certificates to those individuals who meet the requirements listed in this section. The Department of ~~Business, Occupational and~~ Professional and Financial Regulation shall keep all relevant records. The following requirements shall be met:

1. Training course and examination. Attendance of a minimum of 15 hours at ~~an Office of Energy Resources'~~ a Department of Economic and Community Development sponsored installation training course and successful completion of a written examination encompassing solar energy installation techniques;

2. Experience. Proof of at least one year of experience in the installation of solar energy equipment and proof of installation of at least 5 solar energy units, subject to an approved inspection by the ~~Office of Energy Resources~~ Department of Economic and Community Development; or

3. Competency in installation. Completion of a solar energy installation training course which is determined by the ~~Office of Energy Resources~~ Department of Economic and Community Development to equip an individual with the skills necessary to achieve competency in the installation of solar energy equipment.

Sec. 39. 32 MRSA §8004, first ¶, as amended by PL 1983, c. 553, §46, is further amended to read:

The ~~Office of Energy Resources~~ Department of Economic and Community Development, in coordination with the Department of ~~Business, Occupational and~~ Professional and Financial Regulation, shall investigate or cause to be investigated all complaints against certified solar energy installers and all cases of violations of this chapter. The ~~Office of Energy Resources~~ Department of Economic and Community Development may refuse to renew the certification and the Administrative Court may suspend or revoke the certification of a solar energy installer who is found guilty of:

Sec. 40. 32 MRSA §8023, as enacted by PL 1981, c. 597, is amended to read:

§8023. Certification

The ~~Office of Energy Resources~~ Department of Economic and Community Development shall issue energy auditors' certificates to those individuals who meet the requirements listed in this section. The ~~Office of Energy Resources~~ Department of Economic and Community Development shall maintain all relevant records.

1. Examination. Individuals must successfully complete a written examination administered by the ~~Office of Energy Resources~~ Department of Economic and Community Development, or an examination which receives the

approval of the ~~Office of Energy Resources~~ Department of Economic and Community Development, encompassing energy auditing techniques. Separate examinations for residential and commercial building audits shall be administered.

2. Experience. Individuals must demonstrate proof of completion of at least 5 energy audits, subject to an approval inspection by the ~~Office of Energy Resources~~ Department of Economic and Community Development.

3. Existing auditors grandfathered. All energy auditors certified by the former Office of Energy Resources in accordance with the National Energy Conservation and Policy Act, Public Law 95-619, as of the effective date of this chapter are certified for purposes of this chapter.

Sec. 41. 32 MRSA §8024, as enacted by PL 1981, c. 597, is amended to read:

§8024. Fees

The ~~Director~~ Commissioner of ~~the Office of Energy Resources~~ Economic and Community Development may establish reasonable fees for the issuance and renewal of energy auditors' certificates, based on the cost of certification. The fees shall be paid to the Treasurer of State to be used by the ~~Office of Energy Resources~~ Department of Economic and Community Development for the purposes of this chapter.

Sec. 42. 32 MRSA §8025, first ¶, as enacted by PL 1981, c. 597, is amended to read:

The ~~Office of Energy Resources~~ Department of Economic and Community Development shall investigate, or cause to be investigated, all complaints against certified energy auditors and all cases of violations of this chapter. The ~~Office of Energy Resources~~ Department of Economic and Community Development may refuse to renew the certification, or the Administrative Court may suspend or revoke the certification, of an energy auditor who is found guilty of:

Sec. 43. 32 MRSA §8027, as enacted by PL 1981, c. 597, is amended to read:

§8027. Renewals

All certificates shall expire on December 31st of the 2nd year following issuance or at such other times as the ~~Director~~ Commissioner of ~~the Office of Energy Resources~~ Economic and Community Development may designate.

The certificates may be renewed on a biennial basis without further examination upon the payment of the proper fee. The ~~Office of Energy Resources~~ Department of Economic and Community Development shall notify each person registered under this chapter of the date of expiration of ~~his~~ that person's certificate and the amount of fee required for the certificate renewal for a 2-year period. The notice shall be mailed to the person's last known address at least 30 days prior to the expiration date of ~~his~~ the certificate. Any person, who fails to renew ~~his~~ the certificate within a period of 90 days following the expiration date, may be required by the ~~Office of Energy Resources~~ Department of Economic and Community Development to take an examination in order to be recertified.

Sec. 44. 32 MRSA §8028, as enacted by PL 1981, c. 597, is amended to read:

§8028. Rules

The ~~Office of Energy Resources~~ Department of Economic and Community Development may, in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375, adopt rules necessary to implement this chapter.

Sec. 45. 36 MRSA §2915, as enacted by PL 1983, c. 852, §5, is amended to read:

§2915. Report to the Legislature

The State Tax Assessor shall report to the Legislature by January 31, 1987, and each subsequent year until 1990 on the amount of revenue losses due to the ethanol tax exemption provided in section 2903, subsection 2. ~~The report shall also include information provided by the Office of Energy Resources on ethanol sales in other states, revenue losses to these states from similar ethanol tax exemption and any other relevant information on the market for ethanol blended gasoline requested by the Legislature.~~

Sec. 46. 38 MRSA §634, sub-§3, as enacted by PL 1983, c. 458, §18, is amended to read:

3. Application review. Within 10 working days of receiving a completed application, the Commissioner of Environmental Protection or the Director of the Maine Land Use Regulation Commission, as appropriate, shall notify the applicant of the official date on which the application was accepted.

The commissioner or the director, as appropriate, shall circulate the application among the Department of Environmental Protection, Department of Conservation, Department of Inland Fisheries and Wildlife, Department of Marine Resources, Department of Transportation, Maine Historic Preservation Commission, ~~Office of Energy Resources~~ State Planning Office, Public Utilities Commission and the municipal officials of the municipality in which the project is located. The ~~Office of Energy Resources~~ State Planning Office and the Public Utilities Commission shall submit written comments on section 636, subsection 7, paragraph F. For projects within the jurisdiction of the Maine Land Use Regulation Commission, the director may request and obtain technical assistance and recommendations from the staff of the department. The department shall respond to the requests in a timely manner. The department's recommendations shall be considered by the commission in acting upon a project application.

Sec. 47. Transition provisions.

1. Funds transferred. Notwithstanding the Maine Revised Statutes, Title 5, sections 1585 and 1586, all accrued expenditures, assets, liabilities, balances, appropriations or allocations, transfers, revenues and other available funds in any account or subdivision of any account of the Office of Energy Resources or any subunit of that office affected by

this Act are transferred to the State Planning Office or the Department of Economic and Community Development as required by the assignment of responsibilities in this Act.

2. Personnel and employment benefits transferred. All employees of the Office of Energy Resources or any subunit of that office are transferred to the State Planning Office or the Department of Economic and Community Development, as required by the assignment of responsibilities in this Act.

All accrued fringe benefits, including vacation and sick leave, health and life insurance and retirement of these personnel shall remain with them. No employee's pay or promotional rights and opportunities may be adversely affected due to this transfer.

3. Equipment and property transferred. All equipment, records and property of the State used by employees and officials of the Office of Energy Resources are transferred to the State Planning Office or the Department of Economic and Community Development, as required by the assignment of responsibilities in this Act.

4. Financial order required. The Director of the State Planning Office and the Commissioner of Economic and Community Development shall jointly request, by financial order through the State Budget Office, the Governor's approval of the funds, positions, equipment and property to be transferred.

5. Rules and procedures. All rules and procedures currently in effect and in operation pertaining to the Office of Energy Resources shall remain in effect until rescinded or amended as provided by state law.

6. Contracts and agreements. All contracts and agreements currently in effect with respect to the Office of Energy Resources shall remain in effect until rescinded, terminated or modified as provided by state law.

7. Organization and operation. Notwithstanding any other provisions of law, any planning or preparatory work may occur prior to the effective date of this Act, but shall not become binding until the effective date of this Act.

Sec. 48. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1989-90	1990-91
EXECUTIVE DEPARTMENT		
Office of Energy Resources		
Positions	(-12)	(-12)
Personal Services	($218,245)	($436,489)
All Other	(25,338)	(69,928)
Eliminates the positions of: the Director of Energy Resources; the Director of Administrative Services; the Director of Public Information; an Administrative Secretary; an Engineering Conservation Specialist; an Energy Audit Engineer; a Senior Planner; a Business Manager II; an Account Clerk II; a supervisor; a Clerk II; and a Clerk III, which, under the provisions of this Act, will no longer be required, effective January 1, 1990.		
EXECUTIVE DEPARTMENT TOTAL	($243,583)	($506,417)

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect on July 1, 1989.

Effective July 1, 1989.

CHAPTER 502

S.P. 594 - L.D. 1671

An Act to Correct Errors and Inconsistencies in the Laws of Maine

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

Whereas, these errors and inconsistencies create uncertainties and confusion in interpreting legislative intent; and

Whereas, it is vitally necessary that these uncertainties and this confusion be resolved in order to prevent any injustice or hardship to the citizens of Maine; and

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

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

PART A

Sec. 1. 1 MRSA §814, 2nd ¶, as repealed and replaced by PL 1975, c. 470, §1, is amended to read:

All proceedings under this section shall be in accordance with Title ~~35~~ 35-A, chapter ~~263~~ 65.

Sec. 2. 2 MRSA §6, sub-§4, as amended by PL 1987, c. 715, §2, and c. 787, §1, is repealed and the following enacted in its place:

4. **Range 88.** The salaries of the following state officials and employees shall be within salary range 88: