

MAINE STATE LEGISLATURE

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118th MAINE LEGISLATURE

FIRST REGULAR SESSION-1997

Legislative Document

No. 734

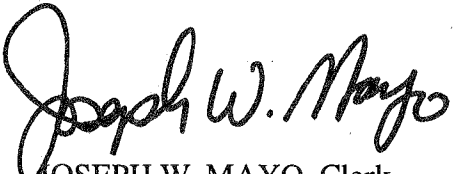
H.P. 543

House of Representatives, February 4, 1997

An Act to Make Allocations for the Administrative Expenses of the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, for the Fiscal Years Ending June 30, 1998 and June 30, 1999.

(EMERGENCY)

Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.


JOSEPH W. MAYO, Clerk

Presented by Representative KERR of Old Orchard Beach. (GOVERNOR'S BILL)
Cosponsored by Senator MICHAUD of Penobscot.

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

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

8 **Whereas,** certain obligations and expenses incident to the
operation of the Bureau of Alcoholic Beverages and Lottery
Operations and the State Liquor Commission will become due and
payable on or immediately after July 1, 1997; and

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14 **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,

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

22 **PART A**

24 **Sec. A-1. Allocation of funds.** In order to provide for the
necessary expenses of operation and administration of the
Department of Administrative and Financial Services, Bureau of
Alcoholic Beverages and Lottery Operations and the State Liquor
and Lottery Commission, the following amounts, or as much as may
be necessary, are allocated from the revenues derived from
operations of the State Alcoholic Beverages Fund:

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	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Alcoholic Beverages - General Operation		
Positions - Legislative Count	(108.000)	(108.000)
Positions - FTE Count	(5.784)	(5.784)
Personal Services	\$4,083,576	\$4,173,438
All Other	2,564,920	2,639,173
TOTAL	<hr/> \$6,648,496	<hr/> \$6,812,611

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Alcoholic Beverages - General Operation		
All Other (Liquor Freight)	\$581,211	\$590,510

52 **DEPARTMENT OF ADMINISTRATIVE**

2 **AND FINANCIAL SERVICES**

3 **TOTAL**

\$7,229,707

\$7,403,121

4 **Sec. A-2. Allotments required.** Upon receipt of allotments duly
5 approved by the Governor, based upon work programs submitted to
6 the State Budget Officer, the State Controller shall authorize
7 expenditures from these allocations on the basis of these
8 allotments and not otherwise.

10 **Sec. A-3. Legislative intent.** It is the intent of the
11 Legislature that the allocation of funds by the Legislature, as
12 provided by this Part, applies to the administrative expenses
13 only and that these allocations must be allotted and approved
14 under the Maine Revised Statutes, Title 5. It is not intended to
15 affect the use of the working capital provided for by Title 28-A
16 or other activities required of the State Liquor and Lottery
17 Commission by Title 28-A.

18 **Sec. A-4. Adjustments to allocations.** Allocations may be
19 increased or adjusted by the State Budget Officer with the
20 approval of the Governor, to cover specifically those adjustments
21 determined to be necessary under any salary plan approved by the
22 Legislature, and those reclassifications or range changes that
23 have been approved by the Department of Administrative and
24 Financial Services and submitted for legislative review prior to
25 the effective date of this Act.

26 **Sec. A-5. Exclusion.** Exclusive of the provisions of sections
27 1 to 4 of this Part, up to \$500,000 for Capital Expenditures may
28 be expended in each fiscal year.

30 **PART B**

31 **Sec. B-1. Allocation of fund.** In order to provide for the
32 necessary expenses of operation and administration of the Bureau
33 of Alcoholic Beverages and Lottery Operations, the following
34 amounts, or as much as may be necessary, are allocated from the
35 revenues derived from operations of the State Lottery Fund.

36 **1997-98**

1998-99

37 **ADMINISTRATIVE AND FINANCIAL**

38 **SERVICES, DEPARTMENT OF**

39 **Lottery Operations**

40	Positions - Legislative Count	(28,000)	(28,000)
41	Personal Services	\$1,135,306	\$1,163,649
42	All Other	2,056,677	2,123,635

43 **DEPARTMENT OF ADMINISTRATIVE AND**

44 **FINANCIAL SERVICES**

TOTAL 3,191,983 3,287,284

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Sec. B-2. Allotments required. Upon receipt of allotments duly approved by the Governor, based upon work programs submitted to the State Budget Officer, the State Controller shall authorize expenditures from these allocations on the basis of these allotments and not otherwise.

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Sec. B-3. Legislative intent. It is the intent of the Legislature that the allocation of funds by the Legislature, as provided by this Part, applies to the administrative expenses only and that these allocations are allotted and approved under the Maine Revised Statutes, Title 5.

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Sec. B-4. Adjustments to allocations. Allocations may be increased or adjusted by the State Budget Officer with the approval of the Governor, to cover specifically those adjustments determined to be necessary under any salary plan approved by the Legislature and those reclassifications or range changes that have been approved by the Department of Administrative and Financial Services and submitted for legislative review prior to the effective date of this Act.

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Sec. B-5. Exclusion. Excluding sections 1 to 4 of this Part, up to \$90,000 each fiscal year may be expended for Capital Expenditures.

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Emergency clause. In view of the emergency cited in the preamble, this Act takes effect July 1, 1997.

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FISCAL NOTE

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1997-98

1998-99

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PART A

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Allocations from revenues derived from operations of the State Alcoholic

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Beverages Fund

\$7,229,707

\$7,403,121

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PART B

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Allocations from revenues derived from operations of the State Lottery Fund

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\$3,191,983

\$3,287,284

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SUMMARY

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This bill makes allocations for the administrative expenses of the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and the

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2 State Liquor and Lottery Commission for the fiscal years ending
June 30, 1998 and June 30, 1999.