

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND SIXTH LEGISLATURE

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Legislative Document

No. 2359

H. P. 1865

House of Representatives, January 15, 1974

Referred to the Committee on State Government. Sent up for concurrence and ordered printed.

E. LOUISE LINCOLN, Clerk

Presented by Mr. Faucher of Solon.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-FOUR

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**AN ACT** Relating to Certain Bureaus in the Department of Finance and Administration.

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

**Sec. 1. R. S., T. 5, § 10, amended.** Section 10 of Title 5 of the Revised Statutes is amended to read as follows:

**§ 10. Weekly payment of wages; exceptions**

All state officers and employees, except temporary and seasonal employees, shall be paid their salaries or wages ~~weekly~~ **biweekly**, the dates of payment to be determined by the State Controller. Any state officer, whose salary is established at an annual rate, shall receive ~~weekly~~ **biweekly** a sum which will, in the year's aggregate, most nearly equal the annual rate. Payment may be made once in each calendar month ~~or fortnightly~~ to such state officers and employees as consent to such time of payment. Temporary and seasonal employees of the State shall be paid at such times as the Commissioner of Finance and Administration shall specify.

**Sec. 2. R. S., T. 5, § 1662, sub-§ 1, amended.** Subsection 1 of section 1662 of Title 5 of the Revised Statutes is amended to read as follows:

1. **State budget document.** To prepare and submit to the Governor-elect, or the Governor, ~~biennially~~ **annually**, a state budget document in accordance with chapters 141 to 155;

**Sec. 3. R. S., T. 5, § 1663, repealed and replaced.** Section 1663 of Title 5 of the Revised Statutes is repealed and the following enacted in place thereof:

### § 1663. Scope of budget

The budget of the State Government shall present a complete financial plan for the ensuing fiscal year. It shall set forth all proposed expenditures for the administration, operation and maintenance of the departments and agencies of the State Government; all interest and debt redemption charges and all expenditures for capital projects to be undertaken and executed during the ensuing fiscal year. In addition thereto, the state budget shall set forth the anticipated revenues of the State Government and any other additional means of financing expenditures proposed for the ensuing fiscal year.

**Sec. 4. R. S., T. 5, § 1664, amended.** The first paragraph of section 1664 of Title 5 of the Revised Statutes is amended to read as follows:

The state budget document, setting forth a financial plan for the State Government for ~~each~~ a fiscal year ~~of the ensuing biennium~~, shall be set up in 3 parts, the nature and contents of which shall be as follows:

**Sec. 5. R. S., T. 5, § 1664, amended.** The first 2 sentences of the 2nd paragraph of section 1664 of Title 5 of the Revised Statutes are amended to read as follows:

Part 1 shall consist of a budget message by the Governor-elect, or the Governor, which shall outline the financial policy of the State Government for the ensuing ~~biennium~~ fiscal year, describing in connection therewith the important features of the financial plan. It shall embrace a general budget summary setting forth the aggregate figures of the budget in such manner as to show the balanced relations between the total proposed expenditures and the total anticipated revenues together with the other means of financing the budget for ~~each~~ the ensuing fiscal year ~~of the ensuing biennium~~, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress.

**Sec. 6. R. S., T. 5, § 1664, amended.** The last sentence of section 1664 of Title 5 of the Revised Statutes is amended to read as follows:

These bills shall include an appropriation bill, authorizing by departments and agencies, and by funds, all expenditures of the State Government for ~~each~~ the ensuing fiscal year ~~of the ensuing biennium~~, and such other bills as may be required to provide the income necessary to finance the budget.

**Sec. 7. R. S., T. 5, § 1665, amended.** The first sentence of section 1665 of Title 5 of the Revised Statutes is amended to read as follows:

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 said officer estimates of their expenditure and appropriation requirements for ~~each~~ the ensuing 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.

**Sec. 8. R. S., T. 5, § 1665, amended.** The first sentence of the 2nd paragraph of section 1665 of Title 5 of the Revised Statutes is amended to read as follows:

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.

**Sec. 9. R. S., T. 5, § 1666, repealed and replaced.** Section 1666 of Title 5 of the Revised Statutes is repealed and the following enacted in place thereof:

**§ 1666. Review and revision of estimates**

The Governor-elect or the Governor, with the assistance of the State Budget Officer, shall review the budget estimates, altering, revising, increasing or decreasing the items of said estimates as may be deemed necessary in view of the needs of the various departments and agencies and the total anticipated income of the State Government during the ensuing fiscal year. Such review shall cover all budgets regardless of source of funds. The State Budget Officer, at the direction of the Governor-elect or the Governor shall then prepare a state budget document in the form required by law. The Governor-elect or the Governor shall be fully responsible for all budgetary recommendations made to the Legislature. The Governor shall transmit said budget document to the Legislature. Notwithstanding, a Governor-elect to his first term of office may transmit said budget document to the Legislature not later than the close of the 6th week of the legislative session.

**Sec. 10. R. S., T. 5, § 1816, sub-§ 2, ¶ A, amended.** Paragraph A of subsection 2 of section 1816 of Title 5 of the Revised Statutes, as amended by section 4 of chapter 300 of the public laws of 1969, is further amended to read as follows:

**A.** The procurement of services, supplies, materials and equipment required ~~in an emergency~~ involves the expenditures of less than ~~\$100~~ \$500 and the interests of the State would best be served thereby:

**Sec. 11. R. S., T. 5, § 1816, sub-§ 4, amended.** Subsection 4 of section 1816 of Title 5 of the Revised Statutes is amended to read as follows:

**4. Registry of suppliers.** Proposals or invitations to bid shall be sent to a representative registry of responsible suppliers on file in the office of the State Bureau of Purchases. Suppliers desiring to have their names entered on a registry of suppliers shall submit, in writing, to the State Purchasing Agent, a request for such action. The State Purchasing Agent shall prescribe the manner and form in which such a request shall be submitted and is empowered to limit the number of ~~names of out of state~~ bidders on any and all registries. In the interests of economy to the State, the name of any supplier entered in such registry, who fails to submit a bid on 3 consecutive proposals or invitations to bid, may be removed from said registry at the discretion of the State Purchasing Agent;

STATEMENT OF FACT

Pursuant to recommendations made by the Maine Management and Cost Survey Report, it is the intent of this Act to implement Recommendations

20, 22, 27, Bureau of Budget; 53, 55, Bureau of Purchases; 68, Bureau of Accounts and Control. Governor Curtis supported these recommendations in his Special Message of January 10, 1974.

This Act provides for an annual budget, extends the budget review to all budgets regardless of source of funds and allows a Governor-elect to his first term of office an additional 4 weeks for submission of his budget. Minimum one-time costs of \$100,000 and annual costs of \$140,000 are anticipated in improving the budget system and procedures. Indeterminate future efficiencies of State Government operation may be expected.

Authority is also provided to purge the bidders list and increase the amount allowed to be purchased without competitive bid and establish biweekly payrolls. A gain to the State is anticipated.