

MAINE STATE LEGISLATURE

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(EMERGENCY)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 112

S. P. 56

In Senate, January 19, 1977

Referred to Committee on Appropriations and Financial Affairs. Sent down for concurrence and ordered printed.

MAY M. ROSS, Secretary

Presented by Senator Huber of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1977, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government.

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 incident to the operation of departments and institutions will become due and payable before July 1, 1977; 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:

Sec. 1. Appropriations from General Fund. In order to provide for necessary expenditures of government and other purposes for the fiscal year ending June 30, 1977, the following sums, or as much thereof as shall severally be found necessary, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated.

Code No.	Umbrella Identity Program	Page No.	Appropriations from General Fund 1976-77
08	DEPARTMENT OF FINANCE AND ADMINISTRATION		
0080	BPI — Buildings and Grounds Operation Provides additional funds for the State Office Building Fuel Account.	2-055	\$ 65,320
28	TREASURY DEPARTMENT		
0021	Treasurer — Debt Service Provides additional funds to meet the total debt obligations for the current fiscal year.	2-125	\$ 995,000
40	JUDICIAL DEPARTMENT		
0063	Supreme Judicial and Superior Court Provides additional funds to meet projected obligations for professional services and pensions.	2-149	\$ 93,326
94	INDEPENDENT AGENCIES — OTHER		
0301	Maine Guarantee Authority Provides funds to enable the Authority to meet obligations under its existing mortgage insurance agreements.	2-317	\$1,000,000
08	DEPARTMENT OF FINANCE AND ADMINISTRATION		
0018	Finance — Commissioner's Office Personal Services	2-029	(1) \$ 6,426
0055	Bureau of the Budget Personal Services	2-039	(3) \$ 13,510
07	EXECUTIVE DEPARTMENT		
0082	Executive — State Planning Office Personal Services	2-019	(-1) \$ (4,072)
08	DEPARTMENT OF FINANCE AND ADMINISTRATION		
0002	Bureau of Taxation — Administration Personal Services	2-065	(-1) \$ (4,521)
07	EXECUTIVE DEPARTMENT		
0082	Executive — State Planning Office Personal Services	2-019	(1) \$ 4,521
TOTAL GENERAL FUND — SECTION I			<u>\$2,169,510</u>

Sec. 2. 5 MRSA § 1662, sub-§ 4 is amended by adding at the end the following new paragraph:

Notwithstanding any other statutory provision, the State Budget Officer, with the approval of the Commissioner of Finance and Administration, may appoint such unclassified professional staff to serve at his pleasure as he deems appropriate within authorized available funds.

Sec. 3. 12 MRSA § 1015, sub-§ 2, as enacted by PL 1975, c. 764, § 3, is amended to read:

2. **Tax rate.** The excise tax on parcels of softwood forest land shall be ~~56¢~~ 31¢ per acre for the year ~~1976~~ 1977. The excise tax on parcels of mixed wood forest land shall be ~~28¢~~ 16¢ per acre for the year ~~1976~~ 1977.

Sec. 4. Appropriation. There is appropriated from the General Fund for the year ending June 30, 1977, the sum of \$1,466,150 to be credited to the Budworm Suppression Fund and to be expended by the Department of Conservation, Bureau of Forestry, for spruce budworm suppression and control. Any unexpended balance of this appropriation and funds previously appropriated by the private and special laws of 1973, chapter 194, and the public laws of 1975, chapters 162 and 764, shall not lapse, but shall remain a continuing carrying account for these purposes. The breakdown shall be as follows:

Code No.	Umbrella Identity Program	Page No.	Appropriations from General Fund 1976-77
04	DEPARTMENT OF CONSERVATION		
0234	Spruce Budworm Control Unallocated	2-609	\$1,466,150

Sec. 5. Appropriation. There is appropriated from the General Fund for the year ending June 30, 1977, to the Department of Conservation, Bureau of Forestry, the sum of \$100,000 to be credited to the Budworm Suppression Fund to be expended by the Bureau of Forestry to provide for research grants pursuant to the Revised Statutes, Title 12, section 1027. These funds shall not lapse, but shall remain a continuing carrying account for these purposes. The breakdown shall be as follows:

Code No.	Umbrella Identity Program	Page No.	Appropriations from General Fund 1976-77
04	DEPARTMENT OF CONSERVATION		
0234	Spruce Budworm Control Unallocated	2-609	\$ 100,000
TOTAL GENERAL FUND — SECTIONS 3-5			\$1,566,150

Sec. 6. PL 1973, c. 628, § 20, last sentence, as enacted by P&SL 1973, c. 220, § 2, is repealed as follows:

~~Any balance remaining June 30, 1974 shall not lapse but shall be carried forward to be expended for the same purposes~~

Sec. 7. P&SL 1975, c. 78, § 19, last ¶ under the caption "ENVIRONMENTAL PROTECTION," as enacted by P&SL 1975, c. 147, Pt. C, § 19, is amended to read:

Any unencumbered balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, ~~1977~~ 1979 to be expended for the same purpose.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

Section 1 provides additional support in the commissioner's office: Restores 2 positions in the Bureau of the Budget and transfers one position (#4360-095-10-0021) from the State Planning Office to the Bureau of the Budget and one position (#0146-16-35-0005) from the Bureau of Taxation to the State Planning Office.

Section 2 will provide latitude in hiring personnel with specialized qualifications needed to strengthen the budgetary process. This is similar to language regarding professional personnel in other executive agencies.

Sections 3 to 5 request for appropriation and recommendation for budworm excise tax is based upon 4% General Fund contribution to the nonfederal share of the program and a 36% federal cost share. Additional revenue amounts to \$1,566,150.

Section 6 allows unused funds from the Bureau of Public Lands to lapse and section 7 allows funds remaining from the Tamano oil spill to carry, pending final disposition of claims.