



115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 1827

H.P. 1259

House of Representatives, May 8, 1991

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

EDWIN H. PERT, Clerk

Presented by Representative FOSS of Yarmouth. Cosponsored by Representative CHONKO of Topsham, Senator PEARSON of Penobscot and Senator FOSTER of Hancock.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY-ONE

An Act to Deappropriate Certain Expenditures and to Make Technical Corrections for the Fiscal Year Ending June 30, 1991.

(EMERGENCY)

Printed on recycled paper

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

8 Whereas, certain obligations and expenses will become due and payable prior to July 1, 1991; and

Whereas, certain technical corrections to Public Law 1991, 12 chapter 9 are needed; and

14 Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of 16 Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and 18 safety; now, therefore,

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

PART A

Sec. A-1. 5 MRSA §17001, sub-§4, ¶A, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

A. The average annual rate of earnable compensation of a 28 member during the 3 years of creditable service as an 30 employee in Maine, not necessarily consecutive, in which his the member's annual rate of earnable compensation is highest. However, if a member is subject to a temporary 32 layoff as a result of a Governor's Executive Order, loss of 34 pay pursuant to an agreement of February 15, 1991 between the Executive Department and the American Federation of State, County and Municipal Employees, Council 93, or days 36 off without pay as authorized by legislative action, the 38 3-year average final compensation must be determined as if the member had not been temporarily laid off, reduced in 40 pay, or provided days off without pay; or

Sec. A-2. 20-A MRSA §1311, sub-§1, ¶A, as amended by PL 1983, c. 422, §5, is further amended to read:

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A. Current operating expenses of the district if the loans are repaid within ene--year <u>13 months</u> of the date of borrowing and are limited to an amount reasonably required for current operating expenses;

50 Sec. A-3. 20-A MRSA §1702, sub-§1, ¶A, as enacted by PL 1981, c. 693, §§5 and 8, is amended to read:

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A. Current operational expenditures of the community school district in an amount not to exceed the gross budget approved by the voters at the annual meeting. These borrowed funds shall must be repaid within the same a month of the end of the fiscal year; and

Sec. A-4. 20-A MRSA §4801, sub-§1, ¶A-1 is enacted to read:

<u>A-1. Notwithstanding paragraph A, in the school year 1990-91 only, up to 2 days of the minimum number of days required may be waived by action of a local school board.</u>

Sec. A-5. 30-A MRSA §5771, sub-§2, as amended by PL 1989, c. 104, Pt. C, \S 8 and 10, is further amended to read:

2. When paid. The tax anticipation notes shall must be paid in within one month after the end of the municipal year in which they were made, except during a transition to a new municipal year the notes shall must be paid within 18 months of the first day of the municipal year in which they were made. The notes issued in anticipation of taxes shall must be paid out of money raised by taxation. The notes issued in anticipation of a note issued in a note issued in a note issued in anticipation of a note issued in a note issued issued in a note issued issued in a note issued issued

Sec. A-6. 30-A MRSA §5773, sub-§3, as amended by PL 1989, c. 104, Pt. C, \S 8 and 10, is further amended to read:

 Funds for educational purposes. The municipal officers
 of any municipality may borrow in anticipation of any funds or reimbursements that the Legislature has authorized to be paid to
 municipalities for educational purposes during the municipal year within one month thereafter. The notes shall must be paid from
 those funds received for educational purposes from state agencies during the municipal year within one month thereafter.

Sec. A-7. State Government closure. Excepting only essential
 services and federally funded services as determined by the Commissioner of Administration and the Commissioner of Finance,
 and, for the legislative and judicial branches, the chief administrative officers of those branches, who shall inform those
 commissioners, all state departments, agencies and offices must be closed May 10, 1991 and May 24, 1991.

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Any nonessential service employee who is not required to 46 work because those departments, agencies and offices are closed on those days must take the days off without pay, but for each 48 such day off is entitled to receive an additional day of compensation at the time that the employee leaves state service. 50 Those additional days must be at the employee's present rate of pay or the rate at the time the employee leaves, whichever is 52 higher. 2 Any essential service employee who works on those days is entitled to receive, in lieu of pay, compensating time off for 4 such hours worked, and for each such day worked is entitled to receive an additional day of compensation at the time the 6 employee leaves state service. Those additional days must be at the employee's present rate of pay or rate at the time the 8 employee leaves, whichever is higher.

10 Any fully federally funded employee approved to work on May
 10, 1991 or May 24, 1991 is entitled to receive the employee's
 12 regular compensation for such time worked.

Any employee not scheduled to work on May 10, 1991 or May 24, 1991 but who has worked or will work the regular work week,
loses one day of pay during each affected pay cycle and is otherwise entitled to compensation as provided by this section as
if the employee were essential and had worked those days.

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No employee leave with pay or unpaid leaves pursuant to the Voluntary Cost Savings Program are allowed for those days.

Sec. A-8. Allotment reserves savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, on or before June 30, 1991, the State Budget Officer shall take necessary steps to achieve a minimum level of General Fund savings in allotment reserves of \$4,200,000 in accordance with Executive Order #14 FY 90/91. On or before June 15, 1991, the State Budget Officer shall report to the Joint Standing Committee on Appropriations and Financial Affairs with the amount of allotment reserve savings achieved to date.

Sec. A-9. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1990-91

38 EDUCATION, DEPARTMENT OF

مرمور المراجع المراجع

40 Teachers' Retirement

42 All Other

(\$13,496,516)

44 Notwithstanding the Maine Revised Statutes, Title 5, section 17151, subsection 2,
46 provides for the deappropriation of funds in the amount of part of the May 1991 payment
48 and the June 1991 payment, which will be deferred until after July 1, 1991.

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General Purpose Aid for Local Schools

All Other

Notwithstanding the Maine Revised Statutes, Title 20-A, section 15005, subsection 1, provides for the deappropriation of funds in the amount of the June 1991 payment, which may be recorded as an account receivable, which will be deferred until after July 1, 1991. The July 1991 payment must be made on or before July 5, 1991.

- **14** General Purpose Aid for Local Schools
- 16 All Other
- 18 Provides for the deappropriation of funds due to expenditure reductions.

DEPARTMENT OF EDUCATION 22 TOTAL

- 24 FINANCE, DEPARTMENT OF
- 26 Executive Branch Departments and Independent Agencies - Statewide

Personal Services

Provides for the deappropriation of funds not required as a result of closing State Government for 2 days. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall distribute this amount among the executive branch departments and independent agencies of State Government in accordance with May 1991 payroll data presented to the Joint Standing Committee on Appropriations and Financial Affairs.

44 DEPARTMENT OF FINANCE

46 JUDICIAL DEPARTMENT

48 Courts - Supreme, Superior, District and Administrative

> Personal Services All Other

(\$56,196,516)

(1,900,000)

(\$1,782,000)

(\$1,782,000)

(\$70,000) (40,000)

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2	Provides for the deappropriation of funds not required as a result of closing State	
4	Government for 2 days and due to expenditure reductions.	
б	JUDICIAL DEPARTMENT	
8	TOTAL	(\$110,000)
10	LEGISLATURE	
12	Legislative Branch-wide	
14	Personal Services	(\$69,000)
16 18	Provides for the deappropriation of funds not required as a result of closing State Government for 2 days.	
20	LEGISLATURE	
22	TOTAL	(\$69,000)
24	MAINE MARITIME ACADEMY	
26	Maine Maritime Academy - Operations	
28	All Other	(\$578,936)
30	Provides for the deappropriation of funds in the amount of the June 1991 payments, which	
32	will be deferred until after July 1, 1991. The July 1991 payment must be made on or before July 5, 1991.	
34	Maine Maritime Academy - Operations	
36	All Other	(35,638)
38	Provides for the deappropriation of funds	
40	due to expenditure reductions.	•
42	MAINE MARITIME ACADEMY TOTAL	(\$614,574)
44 46	MAINE TECHNICAL COLLEGE SYSTEM - BOARD OF TRUSTEES	
48	Maine Technical College System -	
50	Board of Trustees	
	All Other	(\$2,029,454)
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2	Provides for the deappropriation of funds in the amount of the June 1991 payment, which	· · · ·
4 ·	will be deferred until after July 1, 1991. The July 1991 payment must be made on or before July 5, 1991.	
б.	belote buly 5, 1991.	
8	Maine Technical College System - Board of Trustees	н. Таба станата с Таба станата ст
10	All Other	(107,137)
12	Provides for the deappropriation of funds	
14	due to expenditure reductions.	
16	MAINE TECHNICAL COLLEGE SYSTEM BOARD OF TRUSTEES	
	TOTAL	(\$2,136,591)
18	UNIVERSITY OF MAINE SYSTEM -	
20	BOARD OF TRUSTEES	. ·
22	Education and General Activities - University of Maine System	
24		
26	All Other	(\$11,622,334)
28	Provides for the deappropriation of funds in the amount of the June 1991 payment, which will be deferred until after July 1, 1991.	
30	The July 1991 payment must be made on or before July 5, 1991.	
32		• • • •
34	Education and General Activities - University of Maine System	
36	All Other	(728,155)
38	Provides for the deappropriation of funds due to expenditure reductions.	
40		
42	UNIVERSITY OF MAINE SYSTEM - BOARD OF TRUSTEES TOTAL	(#12.250.400)
44		(\$12,350,489)
AC	PART A	
46	TOTAL APPROPRIATIONS	(\$73,259,170)
48		;

Page 6-LR2690(1) L.D.1827 Sec. B-1. 4 MRSA §153, sub-§3, as amended by PL 1991, c. 9, Pt. E, §1, is further amended to read:

 Western Aroostook. Western Aroostook consists of the municipalities and unorganized territory known as Hamlin Plt., Cyr Plt., T17 R3, T17 R4, T16 R5, T15 R6, Winterville Plt., T15 R8, T15 R9, T14 R10, T14 R11, T14 R12, T14 R13, T14 R14, T14 R15, T14 R16, and all municipalities and unorganized territory in Aroostook County lying to the west and north of these. The District Court for Western Aroostook must be held at Madawaska,
 Fort Kent and Van Buren. <u>The presiding judge shall determine the level of service at each location.</u>

Sec. B-2. 36 MRSA §457, as repealed and replaced by PL 1991, 18 c. 9, Pt. EE, is amended to read:

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§457. State tax on telecommunications personal property

22 1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

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A. "Telecommunications business" means a person engaged in the activity of providing interactive 2-way communication services for compensation.

30 "Telecommunications personal property" means personal в. property used for the transmission of any interactive 2-way 32 communications, including voice, image, data and the information. Transmission of communications includes 34 use of any medium such as wires, cables, community antenna television or other broad band cables, microwaves, radio waves, light waves or any combination of those or similar 36 media. Telecommunications personal property includes 38 qualifying property used to provide telegraph service. Telecommunications personal property does not include 40 property used solely to provide value-added nonvoice services in which computer processing applications are used 42 to act on the form, content, code and protocol of the information to be transmitted, unless those services are 44 provided under tariff approved by the Public Utilities Commission. Telecommunications personal property does not 46 include single or multiline standard telephone instruments. Notwithstanding section 551, telecommunications personal property includes any interest of a telecommunications 48 business in poles.

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2. Tax imposed. A state tax is imposed on telecommunications personal property <u>at the rate of 27 mills</u>

Page 7-LR2690(1) L.D.1827 times the just value of the property. Just value and ownership of the property must be determined as of the April 1st preceding the assessment.

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3.--Determination-of-just-value.--The-state-tax-is--imposed upon-the-just-value-and-ownership-of-the-property-as-of-April-1st of-the-taxable-year.

4. Assessment. The State Tax Assessor shall assess a tax 10 on telecommunications personal property owned or leased by a Telecommunications telecommunications business. personal leased by 12 property owned or a person who is not а telecommunications business must be assessed a tax by the municipal assessor in the municipality in which the property is 14 located on April 1st of the taxable year. The date of assessment 16 of telecommunications personal property by municipalities must be consistent with other property subject to property taxation by the municipalities. 18

5----Assessment-procedure.--The--tax-on-telecommunications personal-property-of-a-telecommunications-business-is-assessed-in accord-with-the-following.

- A.--Beginning-in-January-1992,-an-annual-assessment-must-be made-in-June-of-that-year-and-is-payable-in-2-equal-payments in-the-following-October-and-May.
 - B.--In-June-1991,-an-annual-assessment-must-be-made-and-is payable-in-2-equal-payments-in-June-1991-and-in-October-1991.
 - C.---An-additional-assessment-must-be-made--in-June--1991-to transition-the-tax--imposed-by-this-section-to--a-fiscal-year basis-and-is-payable-in-full-in-May-1992.

5-A. Procedure. The tax on telecommunications personal property of a telecommunications business must be assessed and paid in accordance with the following.

A. The State Tax Assessor shall make a gross tax assessment and a net tax assessment on May 15th of each year. The gross tax assessment equals the just value multiplied by the tax rate. The next tax assessment equals the gross assessment reduced by the amount of the prepayment of estimated tax made for that tax year.

B. For the 1991 tax year, a payment of 1/2 the gross tax assessment must be made no later than October 20, 1991. The remaining 1/2 of the gross tax assessment must be paid no later than May 30, 1992.

<u>C. A prepayment of 1/2 the estimated tax for the subsequent</u> tax year must be paid no later than June 1st of each year.

For the purposes of this subsection, the estimated tax for the subsequent year is equal to the gross tax assessment for 2 the current tax year. Δ For tax years subsequent to 1991, a payment must be made no later than June 1st of the year subsequent to the year in 6 which the assessment is made equal to the amount by which 8 the gross tax assessment exceeds the estimated tax paid for that tax year. 10 12 follows. 14 A----For--all--assessment--made--pursuant--to--subsection--5, paragraphs-A--and-Br-the--amount--of-assessment-must--be-equal 16 to-27-mills-multiplied by-the-previous-April-lst-just-value of-taxable-property-18 B----For--all--assessment--made--pursuant--to--subsection--5, 20 paragraph-C7-the-amount-of-assessment-must-be-equal-to-13-5 mills-multiplied-by-the-previous-April-1st-just-value-of 22 taxable-property-24 G----The-tax-assessed by-municipal-assessors-is-at-the-rate of-27-mills-for-each-taxable-year--The-date-of-assessment must-be-consistent-with-other-property-subject-to-property 26 taxation-by-the-municipality-28 7. Collection. Taxes assessed by the State Tax Assessor must be enforced as generally provided by this Title. 30 Taxes assessed by municipal assessors must be enforced as other locally 32 assessed personal property taxes. 34 Penalty. Underpayment of the tax imposed by this section and the prepayment of estimated tax required by this section are subject to the penalties imposed by section 187. 36 Sec. B-3. PL 1991, c. 9, Pt. A, §1, under that part designated 38 "AGRICULTURE. FOOD AND RURAL RESOURCES. DEPARTMENT 40 OF" the 2nd part relating to "Harness Racing Commission" is amended to read: 42 **Harness Racing Commission** 44 Positions - Legislative Count (-2,0) (-1.0)46 Positions - Other Count (-0.5)Personal Services (15,040)(1, 494)48 23,040 All Other 50 2,500

> Page 9-LR2690(1) L.D.1827

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4	Provides for the deappropriation of funds
6	from the elimination of a seasonal,
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•	<u>intermittent</u> Veterinarian position and one full-time and one 16-week Pari-mutuel
8	
	Supervisor position. A 25-week Pari-mutuel
10	Supervisor position for the Northern Maine
	Fair and the County Raceway is not affected
12	by this deappropriation. Also provides
	funds for contractual services to handle the
14	<u>seasonal, intermittent</u> veterinarian
	responsibilities.
16	
	Sec. B-4. PL 1991, c. 9, Pt. A, §1, under that part designated
18	"AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT
	OF," last line is amended to read:
20	
	TOTAL (371,265)
22	(378,259)
24	Sec. B-5. PL 1991, c. 9, Pt. A, §1, is amended in that part designated
<i>L</i> 1	"JUDICIAL DEPARTMENT" by striking all that part relating to "Courts
26	- Supreme, Superior, District and Administrative" and inserting in its
240	place the following:
28	place the lollowing:
20	Courts Summanna Sumanian District
30	<u> Courts - Supreme, Superior, District</u>
	and Administrative
20	and Administrative
32	Positions - Legislative Count (-1.0)
32	
	Positions - Legislative Count(-1.0)Personal Services(140,000)
32 34	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of funds
32	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of fundsfrom the layoff of 2 part-time Research
32 34	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of fundsfrom the layoff of 2 part-time ResearchAssistant positions and from reduction in
32 34	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of fundsfrom the layoff of 2 part-time ResearchAssistant positions and from reduction inpersonal services resulting from a number of
32 34 36	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of fundsfrom the layoff of 2 part-time ResearchAssistant positions and from reduction in
32 34 36	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of fundsfrom the layoff of 2 part-time ResearchAssistant positions and from reduction inpersonal services resulting from a number ofunfilled position vacancies.
32 34 36 38 40	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of fundsfrom the layoff of 2 part-time ResearchAssistant positions and from reduction inpersonal services resulting from a number ofunfilled position vacancies.Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part
32 34 36 38	Positions - Legislative Count (-1.0) Personal Services (140,000) Provides for the deappropriation of funds (140,000) From the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies. Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part designated "JUDICIAL DEPARTMENT" before the part relating to
32 34 36 38 40	Positions - Legislative Count(-1.0)Personal Services(140,000)Provides for the deappropriation of fundsfrom the layoff of 2 part-time ResearchAssistant positions and from reduction inpersonal services resulting from a number ofunfilled position vacancies.Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part
32 34 36 38 40	Positions - Legislative Count (-1.0) Personal Services (140,000) Provides for the deappropriation of funds (140,000) From the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies. Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part designated "JUDICIAL DEPARTMENT" before the part relating to
32 34 36 38 40 42	Positions - Legislative Count (-1.0) Personal Services (140,000) Provides for the deappropriation of funds (140,000) From the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies. Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part designated "JUDICIAL DEPARTMENT" before the part relating to
32 34 36 38 40 42	Positions - Legislative Count Personal Services(-1.0) (140,000)Provides for the deappropriation of funds from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies.(-1.0) (140,000)Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part designated "JUDICIAL DEPARTMENT" before the part relating to "Indigent Defense" by inserting the following:
32 34 36 38 40 42 44	Positions - Legislative Count Personal Services(-1.0) (140,000)Provides for the deappropriation of funds from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies
32 34 36 38 40 42 44	Positions - Legislative Count (-1.0) Personal Services (140,000) Provides for the deappropriation of funds (140,000) from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies. Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part designated "JUDICIAL DEPARTMENT" before the part relating to "Indigent Defense" by inserting the following: State Court Library Committee Positions - Legislative Count (-1.0)
32 34 36 38 40 42 44 46	Positions - Legislative Count Personal Services(-1.0) (140,000)Provides for the deappropriation of funds from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies
32 34 36 38 40 42 44 46 48	Positions - Legislative Count Personal Services (-1.0) (140,000) Provides for the deappropriation of funds from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies. Image: Comparison of the second sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part designated "JUDICIAL DEPARTMENT" before the part relating to "Indigent Defense" by inserting the following: State Court Library Committee (-1.0) (10,000)
32 34 36 38 40 42 44 46	Positions - Legislative Count Personal Services (-1.0) (140,000) Provides for the deappropriation of funds from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies.
32 34 36 38 40 42 44 46 48	Positions - Legislative Count Personal Services (-1.0) (140,000) Provides for the deappropriation of funds from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies. . Sec. B-6. PL 1991, c. 9, Pt. A, §1, is amended under that part designated "JUDICIAL DEPARTMENT" before the part relating to "Indigent Defense" by inserting the following: . State Court Library Committee (-1.0) (10,000) Provides for the deappropriation of funds from the elimination of one full-time
32 34 36 38 40 42 44 46 48 50	Positions - Legislative Count Personal Services (-1.0) (140,000) Provides for the deappropriation of funds from the layoff of 2 part-time Research Assistant positions and from reduction in personal services resulting from a number of unfilled position vacancies.

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2	Sec. B-7. PL 1991, c. 9, Pt. A, §1, last line is amended to read:	
4	TOTAL APPROPRIATIONS (\$43,062,448) (\$43,069,442)	
б		
8	Sec. B-8. PL 1991, c. 9, Pt. B, §2, under that part designated "HUMAN SERVICES, DEPARTMENT OF" in the part relating to "Intermediate Care - Payments to Providers" the 2nd line is amended	
10	to read:	
12	All Other \$8,267,313 \$24,569,686	
14	Sec. B-9. PL 1991, c. 9, Pt. B, §2, under that part designated	
16	"HUMAN SERVICES, DEPARTMENT OF" in the part relating to "Medical Care - Payments to Providers" the 2nd line is amended to	
18	read:	
20	All Other \$6,235,482 \$19,351,248	
22		
24	Sec. B-10. PL 1991, c. 9, Pt. B, §2, under that part designated "HUMAN SERVICES, DEPARTMENT OF" last line is amended to read:	
26 28	TOTAL \$34,190,122 \$63,608,261	
30	Sec. B-11. PL 1991, c. 9, Pt. B, §2, before that part designated "PUBLIC SAFETY, DEPARTMENT OF" insert the following:	
32 34	MAINE STATE LIBRARY	
	Library Development Services	
36	<u>Positions - Other Count</u> (1.0)	
38	Personal Services \$2,369 All Other (2,369)	
40		
42	<u>TOTAL</u> <u>-\$0-</u>	
44	<u>Provides funds to reestablish one Laborer II</u> <u>position by the transfer of funds between</u> <u>line items.</u>	
46	Sec. B-12. PL 1991, c. 9, Pt. B, §2, last line is amended to read:	
48		
50	TOTAL ALLOCATIONS \$34,440,404 \$63,858,543	

Sec. B-13. PL 1991, c. 9, Pt. B, §3, that part designated "MAINE STATE LIBRARY" is repealed.

Sec. B-14. PL 1991, c. 9, Pt. I, §9 is amended to read:

Sec. I-9. Report. The Department of Human Services, Bureau of
 Income Maintenance and the Maine-State-Housing-Authority Division
 of Community Services shall jointly study alternatives to
 maximize the use of available federal funds and any other funds
 to provide services for low-income citizens. Their report must
 be submitted to the Joint Standing Committee on Appropriations
 and Financial Affairs by June-307-1991 June 1, 1991.

Sec. B-15. PL 1991, c. 9, Pt. Q, §1, under that part designated "EXECUTIVE DEPARTMENT," in that part relating to "Administration - Executive Governor's Office," 3rd to 6th lines are amended to read:

Positions - Legislative Count (-1.5) 20 22 Eliminates one full-time and-one-part time vacant Governor's Special Assistant

24 pesitiens position.

Sec. B-16. PL 1991, c. 9, Pt. Q, §1, under that part designated
 "EXECUTIVE DEPARTMENT" is amended by inserting at the end
 the following:

(-0.5)

30 Blaine House

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<u> Positions - Legislative Count</u>

34 <u>Eliminates a vacant part-time Governor's</u> <u>Special Assistant position.</u>

Sec. B-17. PL 1991, c. 9, Pt. Q, §2, under that part designated "HUMAN SERVICES, DEPARTMENT OF" in that part relating to "Disability Determination - Division of," the 2nd to 11th lines are amended to read:

42 Positions - Other Count (-16.0) (-15.5)
44
46 following vacant positions: two Account Clerk I positions, one Clerk I position, 4
48 Clerk Typist II positions, 2 one part-time

Disability Claims Adjudicator VR positions position, 2 Disability Claims Examiner positions, 2 one Disability Claims Hearing Officer position, 3 Human Services Aide III positions, 4 and 2 Word Processing Operator positions. 6 Sec. B-18. Retroactivity. This Part applies retroactively to March 14, 1991. 8 10 PART C 12 Sec. C-1. PL 1991, c. 9, Pt. A, §1, under that part designated "CONSERVATION, DEPARTMENT OF" in that part relating to 14 "Division of Forest Fire Control," 2nd line is repealed and the following enacted in its place: 16 18 Positions - Other Count (-5.0)Sec. C-2. PL 1991, c. 9, Pt. A, §1, under that part designated "CONSERVATION, DEPARTMENT OF" in that part relating to 20 22 "Division of Forest Fire Control," last sentence is amended to read: 24 Provides for the deappropriation of funds through the elimination of -4-5 full-time 26 and-one-part-time Watchperson positions as a result of closing the fire towers at Johnson Hill, Chase Hill, Agamenticus Mountain, 28 Norway Bluff, Green Mountain and termination 30 of plans to consolidate field facilities. Sec. C-3. PL 1991, c. 9, Pt. A, §1, under that part designated 32 "EDUCATION, DEPARTMENT OF" in that part relating to "State 34 Agency Clients," first line is repealed and the following enacted in its place: 36 **General Purpose Aid for Local Schools** 38 Sec. C-4. PL 1991, c. 9, Pt. A, §1, under that part designated "EDUCATION, DEPARTMENT OF" in the 2nd part relating to 40 "Governor Baxter School for the Deaf," 5th to 8th lines are amended to read: 42 44 Provides for the deappropriation of funds from the elimination of 3 vacant positions: 46 two one full-time and one part-time Teacher of the Deaf positions and one Watchperson 48 position.

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Sec. C-5. PL 1991, c. 9, Pt. A, §1, under that part designated "HUMAN SERVICES, DEPARTMENT OF" in that part relating to "Bureau of Elder and Adult Services," 7th to 14th lines are amended to read:

Provides for the deappropriation of funds from the Bureau of Elder and Adult Services, grants to Area Agencies on Aging, general operating expenses and the elimination of 2 Social Services Program Specialist I positions, one Clerk Typist III position and the-transfer-of one Clerk Typist II position salary-to-federal-funds.

Sec. C-6. PL 1991, c. 9, Pt. A, §1, under that part designated "HUMAN SERVICES, DEPARTMENT OF" in that part relating to "Legal Services - Human Services," 4th to 6th lines are amended to read: 18

> Provides for the deappropriation of funds from the transfer <u>elimination</u> of 2 Assistant Attorney General positions te-federal-funds.

Sec. C-7. PL 1991, c. 9, Pt. B, §2, under that part designated "EXECUTIVE DEPARTMENT" in the first part relating to "Planning Office," 2nd line is amended to read:

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Positions - Other Count

(1.0) (0.5)

Sec. C-8. PL 1991, c. 9, Pt. B, §2, under that part designated 30 "PUBLIC SAFETY, DEPARTMENT OF" in that part relating to "Criminal Justice Academy," 5th to 9th lines are amended to read:

> Provides funds for the continuation of 2 Planning and Research Associate II positions and one Clerk Stenographer <u>I III</u> position to administer the Federal Drug Control and Systems Improvement Grant.

Sec. C-9. PL 1991, c. 9, Pt. B, §3, under that part designated "HUMAN SERVICES, DEPARTMENT OF," that part relating to "Bureau of Health" is repealed.

Sec. C-10. PL 1991, c. 9, Pt. B, §3, under that part designated "HUMAN SERVICES, DEPARTMENT OF," last line is amended to read:

TOTAL

48

46.

\$815,962 \$811,000

2	Sec. C-11. PL 1991, c. 9, Pt. B, §3, last line is amended to read:
2	TOTAL ALLOCATIONS \$1,452,253
4	\$1,447,291
6	Sec. C-12. PL 1991, c. 9, Pt. Q, §1, under that part designated "ADMINISTRATION, DEPARTMENT OF" in that part relating to
8	"Office of the Commissioner - Administration," 3rd and 4th lines are amended to read:
10	Eliminates one vacant Assistanttothe
12	Commissioner Policy - and Planning Assistant Director Management/Budget Policy position.
14	Sec. C-13. PL 1991, c. 9, Pt. Q, §1, under that part designated
16	"DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF," that part relating to "Military Training and Operations" is amended to read:
18	Military Training and Operations
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22	Positions - Legislative Count(-7.0)Positions - Other Count(-1.5)
24	Eliminates 3 vacant Building Custodian positions, one vacant Heavy Equipment
26	Operator position, one vacant Laborer II position, one vacant Plumber II position and
28	one vacant Military Training Officer position. Also eliminated are 2 vacant
30	intermittent Building Custodian positions, <u>and</u> 3 vacant seasonal Building Custodian
32	positions,-one-vacant-project-Clerk-Typist- II-position-and-one-vacant-project-Data
34	Entry-Operator-position.
36	Sec. C-14. PL 1991, c. 9, Pt. Q, §1, that part designated "FINANCE, DEPARTMENT OF" is amended to read:
38	FINANCE, DEPARTMENT OF
40	Bureau of Taxation
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44	Positions - Legislative Count(-2.0)Positions - Other Count(-0.5)
46	Provides for the elimination of one vacant Senior Revenue Agent position, one vacant
48	Revenue Agent position, one vacant Revenue Agent position and one seasonal Clerk II I position.
50	CICIN 44 T DORICION.

Bureau of Accounts and Control

Positions - Legislative Count

(-0.5)

(-3.0)

Provides for the elimination of one vacant part-time Laborer I position and one vacant intermittent Data Entry Specialist position.

Sec. C-15. PL 1991, c. 9, Pt. Q, §1, under that part designated "INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF," that part relating to "Office of the Commissioner - Inland Fisheries and Wildlife" is amended to read:

14 Office of the Commissioner -Inland Fisheries and Wildlife

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Positions - Legislative Count

Provides for the elimination of the following vacant positions: a Clerk Typist II position, a Division Director of Inland Fisheries and Wildlife position, --a- an intermittent Clerk Stenographer I position and an-intermittent a Clerk Stenographer III position.

Sec. C-16. PL 1991, c. 9, Pt. Q, §1, under that part designated "INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF" in that part relating to "Fisheries and Hatcheries Operations," 2nd line is amended to read:

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Positions - Legislative Count

(-4.0) (-2.0)

Sec. C-17. PL 1991, c. 9, Pt. Q, §1, under that part designated
 "PUBLIC SAFETY, DEPARTMENT OF" in that part relating to "Drug
 Enforcement Bureau," first line is amended to read:

38 Drug-Enforcement-Bureau

Intergovernmental Drug Enforcement

 Sec. C-18. PL 1991, c. 9, Pt. Q, §1, under that part designated
 "SECRETARY OF STATE, DEPARTMENT OF THE," that part relating to "Administration - Secretary of State" is amended by adding after
 the 2nd line the following to read:

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Positions - Other Count

(-0.5)

 48 Sec. C-19. PL 1991, c. 9, Pt. Q, §1, that part designated "WORKERS' COMPENSATION COMMISSION" is repealed and the following
 50 enacted in its place:

	WORKERS' COMPENSATION COMMISSION
2	Workers' Compensation Commission
4 6	Positions - Legislative Count(-10.0)Positions - Other Count(-1.0)
8	<u>Eliminates 6 vacant Clerk Typist II</u>
10	<u>positions, one vacant Clerk Typist III</u> position, one vacant Data Entry Operator
12	position, one vacant Workers' Compensation Assistant position, one Workers' Compensation Regional Administrator position
14	and 2 vacant seasonal Paralegal Assistant positions.
16	Office of Employment Rehabilitation
18	Positions - Legislative Count (-4.0)
20	<u>Eliminates a vacant Accountant I position,</u>
22	<u>one vacant Clerk Typist III position, one</u> vacant Data Entry Operator position and one
24	<u>vacant Rehabilitation Assistant</u> Administrator position.
26 28	Sec. C-20. PL 1991, c. 9, Pt. Q, §1, last 4 lines are amended to read:
30	Legislative Count (-168-5) (-166.5) Other Count (-13-5) (-16.0)
32	TOTAL (-182.0) (-182.5)
34 36	Sec. C-21. PL 1991, c. 9, Pt. Q, §2, under that part designated "ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF" in that part relating to "Office of Energy Resources," 2nd line is amended to read:
38	Positions - Other Count (-1-5) (-2.0)
40 42	Sec. C-22. PL 1991, c. 9, Pt. Q, §2, under that part designated "EDUCATION, DEPARTMENT OF" in that part relating to
44	"Administration - Vocational Education," 2nd line is amended to read:
46	Positions - Other Count (-0.5) (-1.0)
48	Sec. C-23. PL 1991, c. 9, Pt. Q, §2, under that part designated "LABOR, DEPARTMENT OF" in that part relating to "Job Partnership Training," 3rd to 10th lines are amended to read:
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Provides for the elimination of the 2 following vacant positions: one Accountant II position, one Clerk IV II position, one Clerk Stenographer III position, one Clerk 4 Typist II position, one Management Analyst I position, one Planning and Research 6 Associate II position and one Property 8 Officer position. Sec. C-24. PL 1991, c. 9, Pt. Q, §2, last 3 lines are amended to read: 10 Positions - Other Count 12 (-171.6) (-171.5)(-171.0) (-171.5)14 TOTAL Sec. C-25. PL 1991, c. 9, Pt. Q, §3, under that part designated "ADMINISTRATION, DEPARTMENT OF" in that part relating to 16 "Bureau of Public Improvements - Capital Construction and Repairs," 3rd 18 to 8th lines are amended to read: 20 Eliminates a vacant Civil Engineer I position, a vacant Clerk Typist III position 22 and a vacant Engineering Technical II III position. Positions established $\mathbf{b}\mathbf{y}$ 24 financial order carry no head count. 26 Sec. C-26. PL 1991, c. 9, Pt. Q, §3, that part designated "BOARD OF THE MAINE CHILDREN'S TRUST FUND" is repealed. $\mathbf{28}$ Sec. C-27. PL 1991, c. 9, Pt. Q, §3, under that part designated 30 "ENVIRONMENTAL PROTECTION, DEPARTMENT OF" in that part relating to "Laboratory Special Revenue Account," first line is amended 32 to read: 34 Laboratory-Special-Revenue-Account **Administration - Environmental Protection** 36 Sec. C-28. PL 1991, c. 9, Pt. Q, §3, under that part designated "HUMAN SERVICES, DEPARTMENT OF," that part relating to 38 "Division of Laboratory Services" is repealed. 40 Sec. C-29. PL 1991, c. 9, Pt. Q, §3, last 3 lines are amended to read: 42 (-49.5) (-47.5)44 Positions - Other Count (-49.5) (-47.5)46 TOTAL

Sec. C-30. PL 1991, c. 9, Pt. Q, §4, under that part designated "TRANSPORTATION, DEPARTMENT OF" in that part relating to 2 "Highway and Bridge Improvement," 3rd to 5th lines are amended to read: 4 (-3.5) (-3.0)Positions - Other Count 6 (-9.5) (-9.0) TOTAL. 8 10 . Sec. C-31. PL 1991, c. 9, Pt. Q, §4, last 3 lines are amended to read: (-3.5) (-3.0) 12 Positions - Other Count (-20.0) (-19.5) 14 TOTAL Sec. C-32. PL 1991, c. 9, Pt. Q, §6, under that part designated 16 "FINANCE, DEPARTMENT OF" in that part relating to "Lottery Operations," 2nd line is amended to read: 18 20 Positions - Legislative Count (-0.5) (-1.0)Sec. C-33. PL 1991, c. 9, Pt. Q, §7, under that part designated 22 "FINANCE, DEPARTMENT OF" in that part relating to "Alocholic Beverages - General Operations," 2nd line is amended to read: 24 26 Positions - Legislative Count (-20.0) (-21.0)28 Sec. C-34. PL 1991, c. 9, Pt. Q, §8, under that part designated "AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF," that part relating to "Seed Potato Board" is amended to read: 30 32 Seed Potato Board 34 Positions - Other Count (-0.5)36 Provides for the elimination of 14 vacant Seed Potato Inspector positions that are not 38 assigned position counts. 40 Sec. C-35. PL 1991, c. 9, Pt. Q, §13, after that part designated "PART Q POSITION TOTALS," is amended to read: 42 1990-91 44 Position Summary General Fund 46 (-182.0) (-182.5)Federal Expenditures (-171.0) (-171.5)48 Other Special Revenue (-49, 5)(-47.5)Highway Fund (-20, 0)(-19.5)Federal Block Grant 50 (-1.0)

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Miscellaneous Funds

(-34-5) <u>(-36.5)</u>

TOTAL POSITIONS

DNS (-458-0) (-458.5)

Sec. C-36. Retroactivity. This Part applies retroactively to March 14, 1991.

8 Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.
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FISCAL NOTE

Part A, section 8 of this bill authorizes the State Budget
 Officer to achieve \$4,200,000 in General Fund savings in fiscal
 year 1990-91 from allotment reserves.

18 Part A, section 9 of this bill deappropriates (\$73,259,170) from the General Fund.

This bill also makes technical corrections or changes to 22 appropriations, allocations or revenue estimates for fiscal year 1990-91.

Part B, section 2 of this bill will enhance the General Fund's cash situation in this fiscal year. The change proposed in this section requires an actual payment of 1/2 of next year's taxes in June 1991. The language enacted in Public Law 1991, chapter 9 would have allowed the State to "book" \$12,000,000 in General Fund revenue when assessed in June 1991, but the actual cash payment would not have been received until May 1992. There is no net fiscal impact in terms of additional revenues as a result of the change proposed in section 2.

Part B, section 3 of this bill abolishes a seasonal intermittent Veterinarian position and reinstates the full-time Veterinarian position. This change will increase the Department of Agriculture, Food and Rural Resources total deappropriation in Public Law 1991, chapter 9, Part A by (\$6,994) in fiscal year 1990-91.

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Part C has no fiscal impact.

STATEMENT OF FACT

This bill makes a number of fiscal and technical corrections or changes to the "Emergency Fiscal Year 1990-91 Budget Bill" as
 enacted by Public Law 1991, chapter 9.

Sections A-1 to A-8 provide language to implement the deappropriations in section A-9.

4 Section A-9 makes deappropriations from the General Fund.

6 Section B-1 allows the Western Aroostook District Court to
be held at Madawaska, Fort Kent and Van Buren rather than
8 requiring the court to be held at those locations.

10 Section B-2 makes a technical change regarding the collection of the tax on telecommunications personal property.

Sections B-3, B-4 and B-7 eliminate a seasonal intermittent 14 Veterinarian position, reinstates a full-time Veterinarian and adjusts funds accordingly.

Section B-5 clarifies the accounts from which the Judicial 18 Department is to eliminate or downsize certain positions and deappropriates funds from other unfilled vacancies.

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Sections B-8 and B-9 correct the federal allocation match for 2 accounts in the Department of Human Services.

24 Section B-10 corrects the total federal allocation for the Department of Human Services according to the correction from 26 sections B-8 and B-9.

28 Sections B-11, B-12 and B-13 take an "Other Special Revenue" allocation for the Maine State Library and correctly insert it in 30 the federal allocation in Public Law 1991, chapter 9, Part B.

 Section B-14 deletes reference to the Maine State Housing Authority in relation to a study of maximizing federal funds and inserts in its place the Division of Community Services and changes the reporting date from June 30, 1991 to June 1, 1991.

Sections B-15 and B-16 correct the account from which one 38 part-time vacant Governor's Special Assistant position is eliminated.

Section B-17 corrects the account from which a filled 42 position was inadvertently eliminated and adjusts the positions count accordingly.

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Part C corrects a number of position authorizations and 46 eliminations.

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Parts B and C of this bill are retroactive to March 14, 1991.

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