

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE LAW LIBRARY
AUGUSTA, MAINE

L.D. 1985

(Filing No. S-502)

STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND SPECIAL SESSION

SENATE AMENDMENT "V" to H.P. 1402, L.D. 1985, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993 and to Change Certain Provisions of Law"

Amend the bill by striking out all of Part NN.

Further amend the bill by inserting before the emergency clause the following:

PART OO

Sec. OO-1. Accounting by state agencies. Every state agency shall file with the Joint Standing Committee on Appropriations and Financial Affairs by January 15, 1992 an accounting of all funds spent, encumbered, budgeted or allocated for orders of furniture, machinery and equipment, including computer equipment, delivered to the agency on or after July 1, 1991.

Sec. OO-2. Deappropriation or deallocation of funds. After its review of the accounting submitted in accordance with section 1, the Joint Standing Committee on Appropriations and Financial Affairs is authorized to report out a bill recommending the deappropriation or deallocation from each state agency's budget of the cost of any furniture, machinery or equipment that was delivered to that agency on or after July 1, 1991, except, however, the Joint Standing Committee on Appropriations and Financial Affairs may exempt certain purchases from this deappropriation or deallocation.

Sec. OO-3. Out-of-state travel suspended. Notwithstanding any other provision of law, out-of-state travel that is funded by the General Fund by any person employed by the State, including employees of the Legislature, the Judicial Department, the Executive Department and independent agencies, except for the Governor, the President of the Senate and the Speaker of the

2 House of Representatives, is suspended between January 1, 1992
and December 31, 1992. This suspension does not apply to
4 out-of-state travel necessary to comply with a law or necessary
to preserve a legal right held by the State. Funds allotted for
6 this purpose may not be expended for any other purpose and must
lapse to the General Fund on June 30, 1992 and June 30, 1993.

8 **Sec. OO-4. Calculation and transfer.** Notwithstanding the
Maine Revised Statutes, Title 5, section 1585, the State Budget
10 Officer shall calculate the amount in section 3 of this Part that
applies against each General Fund account for all departments and
12 agencies based on the total appropriations to those accounts,
except for the following accounts: General Purpose Aid to Local
14 Schools; Education in the Unorganized Territory; Debt Service -
Treasury; Teacher Retirement; Aid to Families with Dependent
16 Children; Aid to Families with Dependent Children - Foster Care;
General Assistance; Maine Health Program; Intermediate Care -
18 Payments to Providers; Medical Care - Payments to Providers;
Bureau of Rehabilitation; and Bureau of Rehabilitation -
20 Vocational Rehabilitation. The State Budget Officer shall cause
the calculated amount to be transferred from each account.

22 **Sec. OO-5. Program or service elimination.** In implementing
sections 1 and 3 of this Part, the heads of all departments and
24 agencies in State Government, along with the State Budget
Officer, shall take all necessary precautions to ensure that no
26 program or service otherwise authorized by the Legislature is
eliminated in fiscal year 1991-92 as a result of this Part.

30 **Sec. OO-6. Appropriation.** The following funds are
appropriated from the General Fund to carry out the purposes of
32 this Act.

34 1991-92

36 **FINANCE, DEPARTMENT OF**

38 **Departments and Agencies - Statewide**

40 All Other (\$1,000,000)

42 Provides for the
deappropriation of funds by
44 an across-the-board reduction
of approximately .3% in
46 fiscal year 1991-92,
effective for the last 6
48 months, except for the
General Fund accounts listed
50 in section 1 of this Part.

SENATE AMENDMENT "✓" to H.P. 1402, L.D. 1985

2 This reduction is in addition
3 to the 1% deappropriation
4 authorized in Public Law
5 1991, chapter 591, Part 000.'

6 Further amend the bill by relettering the Parts to read
7 consecutively.

10 FISCAL NOTE

12 Sections 00-1 and 00-2 may generate additional savings to
13 State Government. The exact nature of which can not be
14 determined at this time.

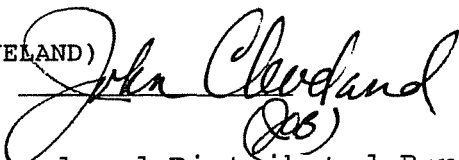
16 Section 00-3 will realize some additional General Fund and
17 other fund savings through lapsed balances. The amount of saving
18 can not be determined at this time.

20 Section 00-4 to 00-6 will deappropriate \$1,000,000 in fiscal
21 year 1991-92 by adding a 3/10 of 1% across-the-board reduction to
22 most General Fund programs. These savings will replace the
23 savings lost through this amendment's striking out of Part NN.
24 Therefore, this amendment will have no net effect on the total
25 General Fund savings realized by the bill.

28 STATEMENT OF FACT

30 This amendment removes that part of the bill that places a
31 moratorium on employee merit increases. In order to realize
32 offsetting savings, mechanisms are included to control excess
33 capital spending and out-of-state travel, and a .3%
34 across-the-board reduction is applied to all accounts except for
35 General Purpose Aid to Local Schools and other specified programs.

36 The Attorney General has determined that Part NN of the bill
37 would result in unconstitutional interference with existing
38 collective bargaining agreements. This amendment deletes Part NN
39 and deappropriates an amount equal to the savings which would
40 have resulted from enactment of Part NN. In light of the
41 hardship caused to the public by state budget reductions, the
42 deappropriation in this amendment is the result of
43 across-the-board cuts internal to State Government operations.

46
48 (Senator CLEVELAND)
49 SPONSORED BY: 

50
Reproduced and Distributed Pursuant to Senate Rule 12.
(12/19/91) (Filing No. S-502)