

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
115TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "JJ" to COMMITTEE AMENDMENT "A" to H.P. 1547, L.D. 2185, 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 the Laws"

Amend the amendment in Part WW in section 3 in the 5th line (page 337, line 32 in amendment) by striking out the following: "3" and inserting in its place the following: '.5' and in the 8th line (page 337, line 35 in amendment) by striking out the following: "2 hours and 45 minutes" and inserting in its place the following: '.5 hours'

Further amend the amendment in Part WW in section 6 in the 9th line (page 338, line 23 in amendment) by striking out the following: "\$14,150,000" and inserting in its place the following: '\$2,358,334'

Further amend the amendment in Part WW in section 7 by striking out all of the 8th line (page 338, line 41 in amendment) and inserting in its place:

'Personal Services (\$768,200)'

Further amend the amendment in Part WW in section 8 by striking out all of the 9th line (page 339, line 10 in amendment) and inserting in its place the following:

'Personal Services (\$768,200)'

Further amend the amendment in Part WW in section 9 in the 9th line (page 339, line 29 in amendment) by striking out the following: "\$4,025,000" and inserting in its place the following: '\$670,834'

HOUSE AMENDMENT

2 Further amend the amendment in Part WW in section 10 in the
9th line (page 339, line 48 in amendment) by striking out the
4 following: "\$1,130,000" and inserting in its place the
following: '\$188,334'

6 Further amend the amendment in Part WW in section 11 in the
9th line (page 340, line 18 in amendment) by striking out the
8 following: "\$655,000" and inserting in its place the following:
'(\$109,667)'

10 Further amend the amendment by inserting at the end before
12 the fiscal note the following:

14
16 **PART XX**

18 **Sec. XX-1. 36 MRSA §1752, sub-§17-A, ¶D,** as enacted by PL
1987, c. 497, §25, is amended to read:

20 D. Extended or basic cable television service;

22 **Sec. XX-2. 36 MRSA §1752, sub-§17-A, ¶F,** as amended by PL
1989, c. 533, §§2 and 14, is further amended to read:

24 F. Custom computer programming, including, but not limited
26 to, modification of a standard program; and

28 **Sec. XX-3. 36 MRSA §1752, sub-§17-A, ¶G,** as enacted by PL
1989, c. 533, §§3 and 14, is amended to read:

30 G. Rental of video tapes and video equipment; and

32 **Sec. XX-4. 36 MRSA §1752, sub-§17-A, ¶H** is enacted to read:

34 H. Amusement or recreation services.

36 **Sec. XX-5. 36 MRSA §1760, sub-§14** is repealed.

38 **Sec. XX-6. 36 MRSA §1760, sub-§39,** as enacted by PL 1977, c.
40 686, §3, is repealed.

42 **PART YY**

44 **Sec. YY-1. Alternative; savings achieved through bargaining.**
Notwithstanding Part WW, it is the intent of the Legislature that
46 state employees, through existing bargaining units, negotiate
with the appropriate administrators to achieve the same amount of
48 savings as deappropriated and deallocated by Part WW. If
negotiations are completed by June 15, 1992 and the Governor
50 certifies that the savings contemplated by Part WW are

achieved by a legally binding agreement, then the parties are so bound by the results of the negotiations and Part WW is repealed and is without effect. The terms of the agreement must also be applied to exempt and unrepresented employees in the executive, legislative and judicial branches.

Sec. YY-2. Calculation; transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amount in sections of this Part that applies against each General Fund, Highway Fund, Federal Expenditure, Other Special Revenue, internal service fund and enterprise fund account for all departments and agencies based on the total General Fund appropriations and various allocations to those accounts. The State Budget Officer shall cause the calculated amount to be transferred from each account.

Sec. YY-3. Transfer of savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the State Budget Officer is authorized to transfer all savings occurring as a result of sections 7 to 9 of this Part to the General Fund as undedicated revenue on a periodic basis, but not later than June 30, 1993. The State Budget Officer shall provide a status report on the amounts being transferred to the General Fund by January 15, 1993.

Sec. YY-4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1992-93

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide

Personal Services (\$2,358,334)

Provides for the deappropriation of funds associated with negotiated savings in accordance with section 1 of this Part.

Sec. YY-5. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

1992-93

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

2 **Departments and Agencies -**
3 **Statewide**

4 Personal Services (\$768,200)

6 Provides for the deallocation of funds
8 associated with negotiated savings in
10 accordance with section 1 of this Part.

12 **Sec. XX-6. Allocation.** The following funds are allocated from
14 the Federal Expenditure Fund to carry out the purposes of this
16 Part.

1992-93

18 **ADMINISTRATIVE AND FINANCIAL**
19 **SERVICES, DEPARTMENT OF**

20 **Departments and Agencies -**
21 **Statewide**

22 Personal Services (\$768,200)

24 Provides for the deallocation of funds
26 associated with negotiated savings in
28 accordance with section 1 of this Part.

30 **Sec. YY-7. Allocation.** The following funds are allocated from
32 Other Special Revenue to carry out the purposes of this Part.

1992-93

34 **ADMINISTRATIVE AND FINANCIAL**
35 **SERVICES, DEPARTMENT OF**

36 **Departments and Agencies -**
37 **Statewide**

38 Personal Services (\$670,834)

40 Provides for the deallocation of funds
42 associated with negotiated savings in
44 accordance with section 1 of this Part.

46 **Sec. YY-8. Allocation.** The following funds are allocated from
48 the various internal service funds to carry out the purposes of
this Part.

1992-93

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ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF

4

6

Departments and Agencies -
Statewide

8

Personal Services (\$188,334)

10

Provides for the deallocation of funds
associated with negotiated savings in
accordance with section 1 of this Part.

12

14

Sec. YY-9. Allocation. The following funds are allocated from
the various enterprise funds to carry out the purposes of this
Part.

16

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1992-93

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ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF

22

24

Departments and Agencies -
Statewide

26

Personal Services (\$109,667)

28

Provides for the deallocation of funds
associated with negotiated savings in
accordance with section 1 of this Part.

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32

Sec. YY-10. Effective date. Sections 2 to 9 of this Part take
effect only if Part WW is repealed and without effect in
accordance with section 1 of this Part.'

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36

Further amend the amendment by relettering the parts to read
consecutively.

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40

FISCAL NOTE

42

This amendment will increase the total General Fund revenue
of the bill by \$2,100,000 in fiscal year 1992-93.

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STATEMENT OF FACT

48

This amendment repeals the sales tax exemption for certain
publications and water purchased for residential use and extends

50

HOUSE AMENDMENT "JJ" to COMMITTEE AMENDMENT "A" to H.P. 1547,
L.D. 2185

2 the definition of taxable services to include amusement or
recreation services and basic cable television service. The
4 revenue anticipated from these changes to the taxation laws is
used to reduce the reduction in state worker hours in Part WW of
the committee amendment.

6
8 This amendment also provides an alternative to achieve the
savings required by Part WW of this amendment. Under this
10 amendment, state employees may negotiate other means to achieve
the same amount of savings. If the Governor certifies that those
12 savings are achieved by a legally binding agreement by June 15,
1992, then the parties are bound by the agreement and Part WW is
repealed.

14

Filed by Rep. Mahany of Easton
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3/25/92 (Filing No. H-1257)