

# MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "KK" 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 hours" and inserting in its place the following: 'one hour' 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: 'one hour'

Further amend the amendment in Part WW in section 6 in that part designated "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF" in that part relating to "Departments and Agencies - Statewide" by striking out all of the 3rd line (page 338, line 23 in amendment) and inserting in its place the following:

'Personal Services (\$4,726,100)'

Further amend the amendment in Part WW in section 7 in that part designated "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF" in that part relating to "Departments and Agencies - Statewide" by striking out all of the 3rd line (page 338, line 41 in amendment) and inserting in its place the following:

'Personal Services (\$1,536,400)'

Further amend the amendment in Part WW in section 8 in that part designated "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF" in that part relating to "Departments and Agencies - Statewide" by striking out all of the 3rd line (page 339, line 10 in amendment) and inserting in its place the following:

'Personal Services (\$1,536,400)'

HOUSE AMENDMENT

2 Further amend the amendment in Part WW in section 9 in that  
part designated "ADMINISTRATIVE AND FINANCIAL SERVICES,  
4 DEPARTMENT OF" in that part relating to "Departments and  
Agencies - Statewide" by striking out all of the 3rd line (page  
6 339, line 29 in amendment) and inserting in its place the  
following:

8 'Personal Services (\$1,344,350)'

10 Further amend the amendment in Part WW in section 10 in that  
part designated "ADMINISTRATIVE AND FINANCIAL SERVICES,  
12 DEPARTMENT OF" in that part relating to "Departments and  
14 Agencies - Statewide" by striking out all of the 3rd line (page  
339, line 48 in amendment) and inserting in its place the  
16 following:

18 'Personal Services (\$377,420)'

20 Further amend the amendment in Part WW in section 11 in that  
part designated "ADMINISTRATIVE AND FINANCIAL SERVICES,  
22 DEPARTMENT OF" in that part relating to "Departments and  
Agencies - Statewide" by striking out all of the 3rd line (page  
24 340, line 18 in amendment) and inserting in its place the  
following:

26 'Personal Services (\$218,770)'

28 Further amend the amendment by inserting at the end before  
30 the fiscal note the following:

32 **PART XX**

34 **Sec. XX-1. 36 MRSA §1752, sub-§17-A, ¶F,** as amended by PL  
1989, c. 533, §§2 and 14, is further amended to read:

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

40 **Sec. XX-2. 36 MRSA §1752, sub-§17-A, ¶G,** as enacted by PL  
1989, c. 533, §§3 and 14, is amended to read:

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

44 **Sec. XX-3. 36 MRSA §1752, sub-§17-A, ¶H** is enacted to read:

46 H. Amusement or recreation services.

48 **Sec. XX-4. 36 MRSA §1760, sub-§14** is repealed.

50 **Sec. XX-5. 36 MRSA §1760, sub-§39,** as enacted by PL 1977, c.  
52 686, §3, is repealed.

**PART YY**

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**Sec. YY-1. Alternative; savings achieved through bargaining.**  
Notwithstanding Part WW, it is the intent of the Legislature that state employees, through existing bargaining units, negotiate with the appropriate administrators to achieve the same amount of savings as deappropriated and deallocated by Part WW. If negotiations are completed by June 15, 1992 and the Governor 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 (\$4,726,100)

Provides for the deappropriation of funds

2 associated with negotiated savings in  
accordance with section 1 of this Part.

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

6  
8 1992-93

10 **ADMINISTRATIVE AND FINANCIAL  
SERVICES, DEPARTMENT OF**

12 **Departments and Agencies -  
Statewide**

14 Personal Services (\$1,536,400)

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

20 **Sec. YY-6. Allocation.** The following funds are allocated from  
22 the Federal Expenditure Fund to carry out the purposes of this  
Part.

24  
26 1992-93

28 **ADMINISTRATIVE AND FINANCIAL  
SERVICES, DEPARTMENT OF**

30 **Departments and Agencies -  
Statewide**

32 Personal Services (\$1,536,400)

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

38  
40 1992-93

42 **ADMINISTRATIVE AND FINANCIAL  
SERVICES, DEPARTMENT OF**

44 **Departments and Agencies -  
Statewide**

46 Personal Services (\$1,344,350)

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



STATEMENT OF FACT

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4 This amendment repeals the sales tax exemption for certain  
6 publications and water purchased for residential use and extends  
8 the definition of taxable services to include amusement or  
recreation services. The 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.

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12 This amendment also provides an alternative to achieve the  
14 savings required by Part WW of the committee amendment. Under  
16 this amendment, state employees may negotiate other means to  
achieve the same amount of savings. If the Governor certifies  
that those 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.

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Filed by Rep. Mahany of Easton  
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House  
3/25/92 (Filing No. H-1258)