

MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT "SS" 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 NN in section 1 in the 3rd line (page 330, line 21 in amendment) by striking out the following: "80,000" and inserting in its place the following: '\$2,080,000' and in the 5th line (page 330, line 23 in amendment) by striking out the following: "\$80,000" and inserting in this place the following: '\$2,080,000'

Further amend the amendment in Part NN in section 2 in the 4th line (page 330, line 30 in amendment) by striking out the following: "\$80,000" and inserting in its place the following: '\$2,080,000'

Further amend the amendment in Part WW by striking out all of sections 1 and 2.

Further 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 4th line from the end (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 3 by inserting before the last sentence (page 337, line 36 in amendment) the following: 'Supervisors shall be responsible for conferring with employees for the scheduling of the one-hour reduction, subject to operational needs of the department or agency. Each employee must be given at least 14 days' notice of the change in that individual's schedule.'

2 Further amend the amendment in Part WW in section 4 in the
3rd line (page 337, line 42 in amendment) by striking out the
4 following: "6, 7, 8, 10 and 11" and inserting in its place the
following: '4 to 9'

6
8 Further amend the amendment in Part WW in section 5 in the
4th line (page 338, line 5 in amendment) by striking out the
10 following: "9 to 11" and inserting in its place the following: '7
to 9'

12 Further amend the amendment in Part WW by striking out all
of sections 6 to 11 and inserting in their place the following:

14 'Sec. WW-6. Appropriation. The following funds are
16 appropriated from the General Fund to carry out the purposes of
this Part.

18
20 1992-93

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

24 **Departments and Agencies -
Statewide**

26 Personal Services (\$4,716,700)

28 Provides for the deappropriation of funds
30 associated with reducing the weekly work
32 schedule for each state employee in
accordance with section 1 of this Part.

34 'Sec. WW-7. Allocation. The following funds are allocated
from the Highway Fund to carry out the purposes of this Part.

36
38 1992-93

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

42 **Departments and Agencies -
Statewide**

44 Personal Services (\$1,533,350)

46 Provides for the deallocation of funds
48 associated with reducing the weekly work

2 schedule for each state employee in
accordance with section 1 of this Part.

4 **Sec. WW-8. Allocation.** The following funds are allocated
from the Federal Expenditure Fund to carry out the purposes of
6 this Part.

8 1992-93

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

14 **Departments and Agencies -**
Statewide

16 Personal Services (\$1,533,350)

18 Provides for the deallocation of funds
associated with reducing the weekly work
20 schedule for each state employee in
accordance with section 1 of this Part.

22 **Sec. WW-9. Allocation.** The following funds are allocated
24 from Other Special Revenue funds to carry out the purposes of
this Part.

26 1992-93

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

32 **Departments and Agencies -**
Statewide

34 Personal Services (\$1,341,700)

36 Provides for the deallocation of funds
associated with reducing the weekly work
38 schedule for each state employee in
40 accordance with section 1 of this Part.

42 **Sec. WW-10. Allocation.** The following funds are allocated
from the various internal service funds to carry out the purposes
44 of this Part.

46 1992-93

48 **ADMINISTRATIVE AND FINANCIAL**

SERVICES, DEPARTMENT OF

2

**Departments and Agencies -
Statewide**

4

6

Personal Services (\$376,700)

8

Provides for the deallocation of funds associated with reducing the weekly work schedule for each state employee in accordance with section 1 of this Part.

10

12

Sec. WW-11. Allocation. The following funds are allocated from the various enterprise funds to carry out the purposes of this Part.

14

16

1992-93

18

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

20

**Departments and Agencies -
Statewide**

22

24

Personal Services (\$218,350)

26

Provides for the deallocation of funds associated with reducing the weekly work schedule for each state employee in accordance with section 1 of this Part.'

28

30

Further amend the amendment in Part WW by striking out all of section 12.

32

34

Further amend the amendment in Part WW by renumbering the sections to read consecutively.

36

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

38

40

PART XX

42

Sec. XX-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

44

46

1992-93

48

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

2

4

Bureau of Taxation

6

Positions-Legislative Count (2.0)

Personal Services \$59,676

8

All Other 11,072

Capital Expenditures 15,586

10

12

14

Provides funds for 2 Tax Examiner positions
and associated administrative costs. This
action will result in additional General
Fund revenue of \$600,000 in fiscal year
1992-93.

16

18

**DEPARTMENT OF ADMINISTRATIVE AND
FINANCIAL SERVICES
TOTAL**

\$86,334

20

22

**MAINE HIGH-RISK INSURANCE
ORGANIZATION**

24

Maine High-Risk Insurance Organization

26

All Other (\$300,000)

28

30

Provides for the deappropriation of funds to
partially offset an appropriation in Part B,
section 1.

32

**MAINE HIGH-RISK INSURANCE ORGANIZATION
TOTAL**

(\$300,000)

34

36

**MENTAL HEALTH AND MENTAL
RETARDATION, DEPARTMENT OF**

38

Medicaid Services - Mental Retardation

40

All Other (\$1,000,000)

42

44

Provides for the deappropriation of funds to
partially offset an appropriation in Part B,
section 1.

46

48

**DEPARTMENT OF MENTAL HEALTH
AND MENTAL RETARDATION
TOTAL**

(\$1,000,000)

2 SECTION XX-1
TOTAL APPROPRIATIONS (\$1,213,666)

4

PART YY

6

8 Sec. YY-1. Change to state employee pay dates in fiscal year
1992-93. Notwithstanding the Maine Revised Statutes, Title 5,
10 section 10 or any other provision of law, the State Controller is
12 authorized to modify the pay dates for state employees in Cycle A
and Cycle B for the payrolls effective in fiscal year 1992-93 in
14 such a way as to add 6 working days to the current schedule for
receipt of paychecks no later than June 1, 1993. The State
16 Controller is authorized to begin implementing this modification
in December 1992 by adding one day to the current schedule for
18 receipt of paychecks and to continue adding one day each
succeeding month until a total of 6 working days have been added
to the current schedule.

20 Sec. YY-2. Calculation and transfer. Notwithstanding the Maine
Revised Statutes, Title 5, section 1585, the State Budget Officer
22 shall calculate the amount in sections 3 and 4 of this Part that
applies against each General Fund and Highway Fund account for
24 all departments and agencies based on the total General Fund
appropriations and Highway Fund allocations to those accounts.
26 The State Budget Officer shall cause the calculated amount to be
transferred from each account.

28

30 Sec. YY-3. Appropriation. The following funds are
appropriated from the General Fund to carry out the purposes of
this Part.

32

1992-93

34

36 ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF

38 Departments and Agencies -
Statewide

40

Personal Services (\$3,850,000)

42

44 Provides for the deappropriation of funds
associated with a 6 working day modification
of Cycle A and Cycle B payrolls in fiscal
46 year 1992-93 in accordance with section 1 of
this Part.

48

2 5. Member contribution. Amounts paid by the State in lieu
3 of the member contribution do not include the 1% that is paid by
4 a member hired after July 1, 1992.

6 Sec. ZZ-4. 5 MRSA §17708-A is enacted to read:

8 §17708-A. State Police; members hired after July 1, 1992

10 Notwithstanding section 17708, a state police officer hired
11 after July 1, 1992 shall contribute to the retirement system at a
12 rate of 1% of earnable compensation in addition to the
13 contribution required under section 17708.

14 Sec. ZZ-5. 5 MRSA §17709-A is enacted to read:

16 §17709-A. Inland fisheries and wildlife officers; members hired
17 after July 1, 1992

18 Notwithstanding section 17709, a law enforcement officer in
19 the Department of Inland Fisheries and Wildlife hired after July
20 1, 1992 shall contribute to the retirement system at a rate of 1%
21 of earnable compensation in addition to the contribution required
22 under section 17709.

24 Sec. ZZ-6. 5 MRSA §17710-A is enacted to read:

26 §17710-A. Marine resources officers; members hired after
27 July 1, 1992

30 Notwithstanding section 17710, a law enforcement officer in
31 the Department of Marine Resources hired after July 1, 1992 shall
32 contribute to the retirement system at a rate of 1% of earnable
33 compensation in addition to the contribution required under
34 section 17710.

36 Sec. ZZ-7. 5 MRSA §17711-A is enacted to read:

38 §17711-A. Forest rangers; members hired after July 1, 1992

40 Notwithstanding section 17711, a forest ranger in the
41 Department of Conservation, Bureau of Forestry hired after July
42 1, 1992 shall contribute to the retirement system at a rate of 1%
43 of earnable compensation in addition to the contribution required
44 under section 17711.

46 Sec. ZZ-8. 5 MRSA §17712-A is enacted to read:

48 §17712-A. Maine State Prison employees; members hired after

July 1, 1992

2
4 Notwithstanding section 17712, an employee of the Maine
6 State Prison who holds a position described in section 17851,
8 subsection 11 and who is hired after July 1, 1992 shall
contribute to the retirement system at a rate of 1% of earnable
compensation in addition to the contribution required under
section 17712.

10 **Sec. ZZ-9. Intent.** It is the intent of this Part that, for
12 each dollar collected from a member of the Maine State Retirement
14 System hired after July 1, 1992, the employer's share must be
reduced by a percentage determined by the Maine State Retirement
System. The percentage at this time is approximately 80%.

16 **Sec. ZZ-10. Transfer of funds.** For members of the Maine State
18 Retirement System hired after July 1, 1992, the State Controller
20 shall withhold from any payroll check paid to the member the full
22 percentage rate or, in cases where the employer is paying the
24 pick-up rate, 1% will be withheld from the employee. The amount
26 equal to the additional 1% deducted from each employee's paycheck
28 under this Part must be retained in the account from which the
30 salary was paid. The amounts retained in the General Fund must
32 be deposited in a suspense account. Part of those funds will be
34 used to pay the Maine State Retirement System. The State
36 Controller shall notify the Maine State Retirement System of the
38 amount withheld from the employee's paycheck in order that the
amount may be credited to the employee's account. The State
Controller shall pay to the Maine State Retirement System the
amount of the employer share, the pick-up amount and the amount
in excess of the pick-up share in order to give credit to the
employee for the additional 1%. Any amount remaining in the
suspense account must be transferred to the General Fund prior to
the end of the fiscal year. It is the intent that this process
be used for fiscal year 1992-93 and that, when the Maine State
Retirement System calculates the percentages for future budgets,
the State's share be reduced an appropriate amount due to the
increased contribution by the employees.

40 The Director of the Maine State Retirement System shall
42 notify the State Controller of the actual amount of funds the
44 system has received from teachers throughout the State because of
46 the additional 1% withheld from their payroll checks and an
estimate of the amount to be collected for the remainder of the
fiscal year and the comparable amount that the State can reduce
the payment to the Maine State Retirement System for teachers'
retirement. The amount remaining in the teachers' retirement

2 account must lapse to the General Fund before the end of the
3 fiscal year. It is the intent that this process be used for
4 fiscal year 1992-93 and that, when the Maine State Retirement
5 System calculates the percentages for future budgets, the State's
6 share be reduced an appropriate amount due to the increased
7 contribution by the employee.

8 **Sec. ZZ-11. Application.** This Part applies to persons first
9 hired by the State after July 1, 1992 and to persons in state
10 service prior to that date who separate from state service and
11 are rehired after July 1, 1992. It does not apply to persons
12 placed on laid-off status before or after that date who are
13 recalled to active status after July 1, 1992.

14
15 **PART AAA**

16
17 **Sec. AAA-1. Salary adjustment.** Notwithstanding any other
18 provision of law, the annual salary of any person who received at
19 least a 3% cost-of-living salary adjustment on or subsequent to
20 April 1, 1991 and who is employed by the State, including
21 probationary employees and including employees of the University
22 of Maine System, the Maine Technical College System and the Maine
23 Maritime Academy, and whose annual salary exceeds \$50,000 is
24 reduced by 3% effective at the beginning of the pay period
25 closest to July 1, 1992. Any savings realized by the University
26 of Maine System, the Maine Technical College System and the Maine
27 Maritime Academy must be used to offset any proposed or
28 implemented tuition increases.

29
30 **Sec. AAA-2. Additional salary adjustment.** Notwithstanding any
31 other provision of law, the annual salary of any person employed
32 by the State, including probationary employees and including
33 employees of the University of Maine System, the Maine Technical
34 College System and the Maine Maritime Academy, that exceeds
35 \$50,000 is reduced by 2% effective at the beginning of the pay
36 period closest to July 1, 1992. Any savings realized by the
37 University of Maine System, the Maine Technical College System
38 and the Maine Maritime Academy must be used to offset any
39 proposed or implemented tuition increases.

40
41 **Sec. AAA-3. Calculation and transfer.** Notwithstanding the
42 Maine Revised Statutes, Title 5, section 1585, the State Budget
43 Officer is authorized to calculate the amount of savings realized
44 by the application of sections 1 and 2 of this Part that applies
45 against each account. The State Budget Officer shall cause the
46 calculated amount to be transferred from each account and shall
47 forward a report on the distribution to the joint standing
48

2 committee of the Legislature having jurisdiction over
appropriations and financial affairs no later than January 15,
1993.

4
6 **Sec. AAA-4. Transfer of savings.** Notwithstanding the Maine
Revised Statutes, Title 5, section 1585 or any other provision of
8 law, the State Budget Officer is authorized to transfer \$100,000
of savings from Other Special Revenue, internal service fund and
10 enterprise fund accounts for all departments and agencies
occurring as a result of sections 1 to 3 of this Part to the
12 General Fund as undedicated revenue on a periodic basis, but not
later than June 30, 1993. The State Budget Officer shall provide
14 a status report on the amounts being transferred to the General
Fund by January 15, 1993.

16 **Sec. AAA-5. Appropriation.** The following funds are
18 appropriated from the General Fund to carry out the purposes of
this Part.

20 1992-93

22 **ADMINISTRATIVE AND FINANCIAL**
24 **SERVICES, DEPARTMENT OF**

26 **Departments and Independent Agencies -**
Statewide

28 Personal Services (\$302,468)

30 Provides for the deappropriation of funds
32 from the 3% reduction of salaries for all
employees with an annual adjusted salary in
34 excess of \$50,000 in the executive branch of
government pursuant to section 1 of this
Part.

36 **Departments and Independent Agencies -**
38 **Statewide**

40 Personal Services (\$190,346)

42 Provides for the deappropriation of funds
44 from the 2% reduction of salaries for all
employees with an annual adjusted salary in
46 excess of \$50,000 in the executive branch of
government pursuant to section 2 of this
48 Part.

2	DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
	TOTAL	<u>(\$492,814)</u>
4	JUDICIAL DEPARTMENT	
6	Courts - Supreme, Superior, District and Administrative	
8		
10	Personal Services	(\$11,275)
12	Provides for the deappropriation of funds from the 3% reduction of salaries for all 14 employees with an annual adjusted salary in 16 excess of \$50,000 in accordance with section 1 of this Part.	
18	Courts - Supreme, Superior, District and Administrative	
20		
22	Personal Services	(\$8,862)
24	Provides for the deappropriation of funds from the 2% reduction of salaries for all 26 employees with an annual adjusted salary in 28 excess of \$50,000 in accordance with section 2 of this Part.	
30	JUDICIAL DEPARTMENT TOTAL	<u>(\$20,137)</u>
32	LEGISLATURE	
34	Legislature	
36	Personal Services	(\$11,847)
38	Provides for the deappropriation of funds from the 3% reduction of salaries for all 40 employees with an annual adjusted salary in 42 excess of \$50,000 in accordance with section 1 of this Part.	
44	Legislature	
46	Personal Services	(\$17,852)
48	Provides for the deappropriation of funds	

2 from the 2% reduction of salaries for all
employees with an annual adjusted salary in
4 excess of \$50,000 in accordance with section
2 of this Part.

6 **LEGISLATURE**
TOTAL

(\$29,699)

8
10 **SECTION AAA-5**
TOTAL APPROPRIATIONS

(\$542,650)

12 **PART BBB**

14 **Sec. BBB-1. Pretax accounts for certain state employee benefits.**
Notwithstanding any other provision of law, the Commissioner of
16 Administrative and Financial Services shall adopt rules to allow
state employees to make payroll deductions for health care and
18 dependent day-care expenses that qualify as a "cafeteria plan"
pursuant to the United States Internal Revenue Code, Section 125,
20 as amended.

22 **PART CCC**

24 **Sec. CCC-1. Calculation and transfer.** Notwithstanding the
26 Maine Revised Statutes, Title 5, section 1585, the State Budget
Officer shall calculate the amount in sections 6 to 9 of this
28 Part that applies against each General Fund, Other Special
Revenue, enterprise or internal service fund account for all
30 departments and agencies based on the total appropriations and
allocations to those accounts, except for the following accounts:
32 General Purpose Aid to Local Schools; Education in the
Unorganized Territory; Debt Service - Treasury; Teacher
34 Retirement; Aid to Families with Dependent Children; Aid to
Families with Dependent Children - Foster Care; General
36 Assistance; Maine Health Program; Intermediate Care - Payments to
Providers; Medical Care - Payments to Providers; Bureau of
38 Rehabilitation; and Bureau of Rehabilitation - Vocational
Rehabilitation. In addition, the amount of funds appropriated or
40 allocated for higher education programs, grants to municipalities
and schools and grants to public and private organizations are
42 excepted from this calculation. The State Budget Officer shall
cause the calculated amount to be transferred from each account.

44 **Sec. CCC-2. Implementation; detailed plan.** Each department and
46 agency affected by this Part shall submit a detailed
implementation plan in accordance with the requirements of
48 sections 1 and 4 of this Part, which must be approved in advance

of any implementation by the Commissioner of Administrative and
Financial Services, upon the recommendation of the State Budget
Officer. The heads of all departments and agencies must prorate
the reductions required by sections 1, 6, 7, 8 and 9 of this Part
among the line categories in a way to achieve permanent savings
and that are in proportion to their existing appropriations and
allocations and as excepted by section 1 of this Part. The
Commissioner of Administrative and Financial Services, in
approving each detailed plan, is authorized to adjust the
reduction among accounts and line categories only under
extenuating circumstances.

Sec. CCC-3. Report. The Commissioner of Administrative and
Financial Services shall submit a report on the implementation of
this Part to the Joint Standing Committee on Appropriations and
Financial Affairs no later than September 30, 1992.

Sec. CCC-4. Program or service eliminations. In implementing
this Part, the heads of all departments and agencies in State
Government, along with the Commissioner of Administrative and
Financial Services and the State Budget Officer, shall take all
necessary precautions to ensure that no program or service
otherwise authorized by the Legislature is eliminated in fiscal
year 1992-93 as a result of this Part.

Sec. CCC-5. 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. CCC-6. 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

All Other (\$3,015,000)

Provides for the deappropriation of funds by

an across-the-board reduction of
approximately 0.9% in fiscal year 1992-93
except as provided in section 1 of this Part.

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

1992-93

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

Departments and Agencies - Statewide

Unallocated (\$900,000)

Provides for the deallocation of funds by an
across-the-board reduction of approximately
0.9% in fiscal year 1992-93 except as
provided in section 1 of this Part.

Sec. CCC-8. Allocation. The following funds are allocated
from the various internal service funds to carry out the purpose
of this Part.

1992-93

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

Departments and Agencies - Statewide

Unallocated (\$540,000)

Provides for the deallocation of funds by an
across-the-board reduction of approximately
0.9% in fiscal year 1992-93 except as
provided in section 1 of this Part.

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

1992-93

**ADMINISTRATIVE AND FINANCIAL
SERVICES, DEPARTMENT OF**

2 **Departments and Agencies - Statewide**

4 Unallocated (\$171,000)

6 Provides for the deallocation of funds by an
across-the-board reduction of approximately
8 0.9% in fiscal year 1992-93 except as
provided in section 1 of this Part.'

10 Further amend the amendment by relettering the Parts to read
12 consecutively.

14

FISCAL NOTE

16

18 This amendment makes a number of changes to General Fund
appropriations and revenues that, in total, will increase the
total General Fund savings of the bill in fiscal year 1992-93 by
20 \$150,766.

22

STATEMENT OF FACT

24

This amendment does the following:

26

28 1. Achieves additional revenue in the Abandoned Property
Program;

30

32 2. Amends Part WW in order to remove the repeal of Private
and Special Law 1991, chapter 65 and to reduce the "3-hour
workweek" proposal from 3 hours to one hour;

34

36 3. Makes a number of deappropriations and appropriations to
achieve additional General Fund savings;

38

40 4. Modifies the pay dates for state employees in Cycle A
and Cycle B in fiscal year 1992-93 only;

42

44 5. Implements a 1% increase in contributions to the Maine
State Retirement System for new employees;

46

48 6. Implements a 3% and 2% salary adjustment for state
employees earning more than \$50,000;

48

7. Authorizes "pretax accounts" for certain state employee
benefits;

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

8. Implements a 0.9% across-the-board reduction to certain
General Fund, Other Special Revenue, internal service and
enterprise accounts.

2

4

Filed by Rep. Daggett of Augusta
Reproduced and distributed under the direction of the Clerk of the
House
3/29/92 (Filing No. H-1324)

12