

MAINE STATE LEGISLATURE

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10
R. O. S.

L.D. 1264

(Filing No. S- 73)

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STATE OF MAINE
SENATE
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1264, Bill, "An Act to Make Supplemental Allocations, to Transfer Positions among Funds and to Make Technical Corrections to the Laws for Fiscal Year 1992-93"

Amend the bill by striking out the title and substituting the following:

'An Act to Make Supplemental Allocations to Continue Certain Positions Established by Financial Order, to Establish Other Positions, to Transfer Positions among Funds and to Make Technical Corrections to the Laws for Fiscal Year 1992-93'

Further amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

'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

Whereas, certain state employee positions funded with federal expenditures, other special revenue and internal service funds and established by financial order in fiscal year 1992-93 will terminate on or about April 30, 1993 unless continued by the First Regular Session of the 116th Legislature; and

Whereas, other changes to allocations and the laws are necessary in fiscal year 1992-93; and

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

COMMITTEE AMENDMENT

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

Sec. 1. 5 MRSA §1583-A, as amended by PL 1993, c. 6, Pt. N, §1, is repealed and the following enacted in its place:

§1583-A. Creation of positions

Notwithstanding any other provision of law, positions may not be established except as authorized by legislative appropriation or allocation.

Sec. 2. PL 1993, c. 6, Pt. N, §2 is repealed.

Sec. 3. Allocation. The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Act.

1992-93

ATLANTIC SEA RUN SALMON COMMISSION

Atlantic Sea Run Salmon Commission

Positions - Other Count	(2.0)
Personal Services	\$8,431

Provides for the allocation of funds to continue one Biologist I position and one Biologist II position originally established by financial order.

**ATLANTIC SEA RUN SALMON COMMISSION
TOTAL**

8,431

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

Positions - Other Count	(1.0)
Personal Services	4,429
All Other	2,500
Capital Expenditures	1,000

TOTAL 7,929

Provides for the allocation of funds to support one Research Assistant position to assist families of homicide victims.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1264

Administration - Attorney General

2		
	Positions - Other Count	(2.0)
4	Personal Services	13,216
	All Other	1,750
6		
	TOTAL	<hr/> 14,966

8
 10 Provides for the allocation of funds to
 support 2 Maine Drug Enforcement Agency
 12 Assistant Attorney General positions for
 drug prosecution.

14	DEPARTMENT OF THE ATTORNEY GENERAL	
16	TOTAL	<hr/> 22,895

18 CONSERVATION, DEPARTMENT OF

20 Maine Conservation Corps

22	Positions - Other Count	(4.5)
	Personal Services	21,850

24
 26 Provides for the allocation of funds for a
 youth corps program including the
 continuation of one Clerk Typist II limited-
 28 period position, one Volunteer Services
 Coordinator position and 3 Volunteer
 30 Services Assistant positions established by
 financial order.

32	DEPARTMENT OF CONSERVATION	
34	TOTAL	<hr/> 21,850

36 CORRECTIONS, DEPARTMENT OF

38 Correctional Center

40		
	Positions - Other Count	(3.0)
42	Personal Services	13,081

44 Provides for the allocation of funds to
 46 continue 3 Teacher positions established by
 financial order.

48 Youth Center-Maine

50	Positions - Other Count	(0.5)
	Personal Services	7,925

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1264

2	All Other	9,941
4	TOTAL	<hr/> 17,866

6 Provides for the allocation of funds to
 8 establish one part-time teacher position and
 10 for related operating expenses to serve
 migrant students in order to carry out the
 federal migrant grant awarded to the Maine
 Youth Center by the Department of Education.

12 Youth Center - Maine

14	Positions - Other Count	(1.0)
	Personal Services	14,434
16	All Other	35,166
	Capital Expenditures	(49,600)
18	TOTAL	<hr/> 0

20 Provides for the allocation of funds through
 22 a line category transfer to establish one
 24 Special Education Teacher position and for
 instructional materials and to reflect the
 approved budget of the federal Special
 26 Education grant awarded to the Maine Youth
 Center by the Department of Education.

28 **DEPARTMENT OF CORRECTIONS**

30	TOTAL	<hr/> 30,947
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32 **DEFENSE AND VETERANS' SERVICES,**
34 **DEPARTMENT OF**

36 **Military Training and Operations**

38	Positions - Other Count	(2.0)
	Personal Services	17,500

40 Provides for the allocation of funds for one
 42 Planning and Research Associate I position
 and one Oil Burner Mechanic Supervisor
 44 position.

46 **DEPARTMENT OF DEFENSE AND VETERANS'**
SERVICES

48	TOTAL	<hr/> 17,500
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50 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**
52

Air Quality Control

2		
	Positions - Other Count	(5.0)
4	Personal Services	26,101
	All Other	3,222
6		
	TOTAL	<hr/> 29,323
8		
10	Provides for the allocation of funds to	
	continue 2 Environmental Specialist II	
12	positions, one Environmental Specialist III	
	position, one Environmental Specialist IV	
14	position and one Conservation Aide position	
	originally established by financial order.	

16 Pollution Prevention

18	Positions - Other Count	(1.0)
	Personal Services	6,096
20	All Other	154
22		
	TOTAL	<hr/> 6,250
24		
26	Provides for the allocation of funds to	
	continue one Environmental Specialist III	
28	position originally established by financial	
	order to provide assistance to the public	
	and governmental entities.	

30 Water Quality Control

32	Positions - Other Count	(1.0)
	Personal Services	7,081
34	All Other	179
36		
	TOTAL	<hr/> 7,260
38		
40	Provides for the allocation of funds to	
	continue one Environmental Specialist III	
42	position originally established by financial	
	order to carry out regulatory development	
	and administration.	

44 Water Quality Control

46	Positions - Other Count	(2.0)
	Personal Services	18,700
48	All Other	1,528
50		
	TOTAL	<hr/> 20,228

2 Provides for the allocation of funds to
 4 continue one Civil Engineer III position and
 6 one Environmental Specialist IV position
 originally established by financial order to
 assist municipalities in reducing pollution
 from wastewater discharges.

8 **Water Quality Control**

10	Positions - Other Count	(1.0)
12	Personal Services	5,830
14	All Other	147
	TOTAL	<hr/> 5,977

16 Provides for the allocation of funds to
 18 continue one Environmental Specialist II
 20 position originally established by financial
 order to assist in carrying out the
 Non-Point Source Program.

22 **Water Quality Control**

24	Positions - Other Count	(1.0)
26	Personal Services	6,305
28	All Other	159
	TOTAL	<hr/> 6,464

30 Provides for the allocation of funds to
 32 continue one Environmental Specialist II
 34 position originally established by financial
 order to administer the Underground
 Injection Control Program.

36 **DEPARTMENT OF ENVIRONMENTAL**
 38 **PROTECTION**
 40 **TOTAL**

75,502

42 **EXECUTIVE DEPARTMENT**

44 **Maine Science and Technology Commission**

46	Positions - Other Count	(1.0)
	Personal Services	6,772

48 Provides for the allocation of funds for the
 50 continuation of one Clerk Typist III
 position established by financial order.

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1264

Orders 4001 F2 and 4060 F2, including funding for one Data Entry Specialist position.

Health - Bureau of

Positions - Other Count (3.0)
Personal Services 19,457

Provides for the allocation of funds for the continuation of the Year 2000 Surveillance Project Cooperative Agreement by Financial Order 4502 F2, which established one Health Program Manager position, one Systems Analyst position and one Clerk Typist III position.

18 Health - Bureau of

Positions - Other Count (4.0)
Personal Services 25,505

Provides for the allocation of funds for the continuation of the grant "Core Capacity Building for Breast and Cervical Cancer Prevention and Control" by Financial Order 4501 F2 which established one Health Program Manager position, one Epidemiologist position, one Public Health Educator III position and one Word Processing Operator position.

Medical Care Administration

Positions - Other Count (3.0)
Personal Services 10,498
All Other 1,500

TOTAL 11,998

Provides for the allocation of funds to continue the Managed Care Demonstration Project for Low-income Adults as approved by Financial Order 4186 F2, which established one Clerk Typist II position and 2 Human Services Aide III positions.

48 Medical Care Administration

Positions-Other Count (5.0)
Personal Services 31,897

2 Provides for the allocation of funds to
3 continue the Clinical Laboratory Improvement
4 Amendment as approved by Financial Order
5 04381 F2 which established one Laboratory
6 Certification Supervisor position, 3
7 Laboratory Certification Surveyor positions
8 and one Clerk Typist III position.

10 **DEPARTMENT OF HUMAN SERVICES**
11 **TOTAL** 117,194

14 **LABOR, DEPARTMENT OF**

16 **Job Training Partnership Program**

18 Personal Services 163,069

20 Provides for the allocation of funds to
21 create 28 half-time seasonal positions in
22 the Summer Youth Employment and Training
23 Program for the service delivery area
24 involving the counties of Kennebec,
25 Somerset, Washington and York.

26 **DEPARTMENT OF LABOR**
28 **TOTAL** 163,069

30 **LIBRARY, MAINE STATE**

32 **Library Development Services**

34 Positions - Other Count (3.0)

36 Provides headcount for the continuation of 3
38 Library Assistant positions established
39 through Financial Order 4441 F2.

40 **MARINE RESOURCES, DEPARTMENT OF**

42 **Marine Sciences - Bureau of**

44 Positions - Other Count (1.0)
46 Personal Services 6,000

48 Provides for the allocation of funds for one
49 Natural Science Educator position to provide
50 educational services for the department's
51 federal education program.

52

2 DEPARTMENT OF MARINE RESOURCES
 TOTAL 6,000

4 MENTAL HEALTH AND MENTAL RETARDATION,
 6 DEPARTMENT OF

8 Mental Health Services - Children

10 Positions - Other Count (2.0)
 Personal Services 8,965

12 Provides for the allocation of funds for one
 14 Education Specialist II position and one
 Clerk Stenographer III position.

16 DEPARTMENT OF MENTAL HEALTH AND
 18 MENTAL RETARDATION
 TOTAL 8,965

20 TOTAL ALLOCATIONS
 22 SECTION 3 \$495,217

24 Sec. 4. Allocation. The following funds are allocated from
 Other Special Revenue to carry out the purposes of this Act.

26 1992-93

28 ATTORNEY GENERAL, DEPARTMENT OF THE

30 Administration - Attorney General

32 Positions - Other Count (1.0)
 34 Personal Services \$4,657
 All Other 425

36 TOTAL 5,082

38 Provides for the allocation of funds for one
 40 Clerk Stenographer III position.

42 DEPARTMENT OF THE ATTORNEY GENERAL
 TOTAL 5,082

44 CONSERVATION, DEPARTMENT OF

48 Geographic-Based Information Services

50 Positions - Other Count (3.0)
 Personal Services 24,149

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1264

2	All Other	7,020
4	TOTAL	<hr/> 31,169

6 Provides for the allocation of funds for 2
 6 Geographic-Based Information Services
 8 Coordinator positions, one Programmer
 8 Analyst position and associated support
 10 costs which were established by financial
 10 orders to provide geographic-based
 12 information system products and services and
 12 to distribute geographic-based information
 14 system data to the public.

16	DEPARTMENT OF CONSERVATION	
	TOTAL	<hr/> 31,169

18 **ECONOMIC AND COMMUNITY DEVELOPMENT,**
 20 **DEPARTMENT OF**

22 **Comprehensive Land Use Planning**

24	Positions - Other Count	(0.5)
26	Personal Services	3,725

28 Provides for the allocation of funds for the
 28 continuation of a half-time Chief Planner
 30 position established by financial order.

32	DEPARTMENT OF ECONOMIC AND COMMUNITY	
	DEVELOPMENT	
34	TOTAL	<hr/> 3,725

36 **HUMAN SERVICES, DEPARTMENT OF**

38 **Nuclear Safety Program**

40	Positions - Other Count	(1.0)
42	Personal Services	5,242

44 Provides for the allocation of funds to
 44 continue the Radiation Control Program as
 46 approved by Financial Order 4439 F2, which
 46 established one Engineering Technician III
 48 position.

**DEPARTMENT OF HUMAN SERVICES
TOTAL**

5,242

JUDICIAL DEPARTMENT

Total Quality Management

Positions - Other Count	(1.0)
Personal Services	13,200
All Other	9,000
TOTAL	22,200

Provides for the allocation of funds for one Project Administrator position in order to implement Total Quality Management (TQM).

Judicial Branch/DHS IV-D Cooperative Agreement Project

Positions-Other Count	(1.0)
Personal Services	13,774
All Other	3,726
TOTAL	17,500

Provides for the allocation of funds for one Project Manager position to provide court services in accordance with Judicial Branch/DHS IV-D Cooperative Agreement.

**JUDICIAL DEPARTMENT
TOTAL**

39,700

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

Substance Abuse Services - Mental Health and Mental Retardation

All Other	165,998
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Provides for the allocation of funds from a Robert Wood Johnson Foundation Grant for dual diagnosis services.

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1264

2	DEPARTMENT OF MENTAL HEALTH AND	
	MENTAL RETARDATION	
4	TOTAL	165,998

6 **PUBLIC SAFETY, DEPARTMENT OF**

8 **Fire Marshal - Office of**

10	Positions - Other Count	(2.5)
	Personal Services	20,212
12	All Other	3,905
14	TOTAL	24,117

16 Provides for the allocation of funds for 2
 18 Fire Inspector positions, one part-time
 18 Clerk Typist II position and related All
 20 Other general operating costs for the
 20 purpose of conducting child care facility
 22 inspections as approved by Financial Order
 22 0442 F2.

24	DEPARTMENT OF PUBLIC SAFETY	
	TOTAL	24,117

26	TOTAL ALLOCATIONS	
28	SECTION 4	\$275,033

30 **Sec. 5. Allocation.** The following funds are allocated from the
 32 Central Motor Pool Fund to carry out the purposes of this Act.

1992-93

34 **ADMINISTRATIVE AND FINANCIAL SERVICES,**

36 **DEPARTMENT OF**

38 **Central Motor Pool**

40	Positions - Other Count	(3.5)
	Personal Services	\$22,544

42 Provides for the allocation of funds for 2
 44 Auto Mechanic I positions, one Data Entry
 46 Operator position and one 20-hour Laborer I
 46 position established by Financial Order 4573
 48 F2.

50	DEPARTMENT OF ADMINISTRATIVE AND	
	FINANCIAL SERVICES	
52	TOTAL	22,544

**TOTAL ALLOCATIONS
SECTION 5**

\$22,544

Sec. 6. Allocation. The following funds are allocated from Federal Block Grant funds to carry out the purposes of this Act.

1992-93

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

Mental Health Services - Community

All Other \$168,537

Provides for the allocation of funds from an anticipated transfer of funds from the Office of Substance Abuse for community mental health services.

**DEPARTMENT OF MENTAL HEALTH AND
MENTAL RETARDATION**

TOTAL

168,537

**TOTAL ALLOCATIONS
SECTION 6**

\$168,537

Sec. 7. PL 1993, c. 6, Pt. L, §3 is repealed.

Sec. 8. PL 1991, c. 780, Pt. KKK, §7, under the caption "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF", the part related to Departments and Agencies - Statewide, first line is amended to read:

Unallocated { \$900,000 }
(\$875,681)

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

1992-93

HUMAN SERVICES, DEPARTMENT OF

Administration - Social Services

Positions - Legislative Count (-1.0)
Personal Services (\$27,955)

R. of S.

COMMITTEE AMENDMENT "A" to S.P. 406, L.D. 1264

2	All Other	(7,431)
4	TOTAL	<u>(35,386)</u>

6 Provides for the deappropriation of funds
 8 from the transfer of one Social Service
 Program Specialist II position to the Child
 Care Food Program, Federal Expenditure Fund.

10	DEPARTMENT OF HUMAN SERVICES	
12	TOTAL	<u>(35,386)</u>

14	TOTAL APPROPRIATIONS	
14	SECTION 9	<u>(\$35,386)</u>

16 **Sec. 10. Allocation.** The following funds are allocated from
 18 the Federal Expenditure Fund to carry out the purposes of this
 Act.

20		1992-93
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22 **HUMAN SERVICES, DEPARTMENT OF**

24 **Child Care Food Program**

26	Positions - Other Count	(1.0)
28	Personal Services	\$27,955
30	All Other	7,431
32	TOTAL	<u>35,386</u>

34 Provides for the allocation of funds from
 the transfer of one Social Service Program
 36 Specialist II position from Administration -
 Social Services, General Fund.

38	DEPARTMENT OF HUMAN SERVICES	
40	TOTAL	<u>35,386</u>

42	TOTAL ALLOCATIONS	
42	SECTION 10	<u>\$35,386</u>

44 **Emergency clause.** In view of the emergency cited in the
 46 preamble, this Act takes effect when approved.'

COMMITTEE AMENDMENT

FISCAL NOTE

1992-93

APPROPRIATIONS/ALLOCATIONS:

Federal Expenditure Fund, Section 3	495,217
Federal Expenditure Fund, Section 10	35,386
Other Special Revenue, Section 4	275,033
Internal Service Fund, Section 5	22,544
Federal Block Grant Fund, Section 6	168,537
General Fund, Section 9	(35,386)

This amendment allocates funds from various non-General Fund resources to continue positions originally established on a nonpermanent basis in fiscal year 1992-93 by financial order, to establish certain new positions in some of these same funds and allocates funds for other purposes. Additionally, this bill provides for the transfer of one General Fund position to the Federal Expenditure Fund and allocates Federal Block Grant funds.

STATEMENT OF FACT

This amendment replaces the bill and allocates funds from various non-General Fund resources to continue positions originally established on a nonpermanent basis in fiscal year 1992-93 by financial order and to establish certain new positions in some of these same funds. It also specifies that, as of the effective date of this Act, all state positions, including full-time, limited-period, temporary and other types of positions, may be established only by legislative appropriation or allocation. Additionally, this amendment provides for the transfer of one General Fund position to the Federal Expenditure Fund, allocates Federal Block Grant funds and makes technical corrections to the laws.

Reported by the Majority for the Committee on Appropriations and Financial Affairs. Reproduced and Distributed Pursuant to Senate Rule 12.
(4/13/93) (Filing No. S-73)