

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

Legislative Document

No. 1264

S.P. 406

In Senate, April 13, 1993

An Act to Make Supplemental Allocations, to Transfer Positions among Funds and to Make Technical Corrections to the Laws for Fiscal Year 1992-93.

(EMERGENCY)

Reported by Senator PEARSON of Penobscot for the Joint Standing Committee on Appropriations and Financial Affairs pursuant to Joint Order S.P. 344.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

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, supplemental allocations and technical corrections to the laws are necessary for 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, be it

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 N, §1, is repealed and the following enacted in its place: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

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

Sec. 2. Transfers prohibited. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the allocations made in this Act to the "All Other" line category may not be transferred to the "Personal Services" line category except to pay for unemployment compensation expenses or by legislative allocation.

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

All Other \$8,431

Provides for the allocation of funds for contractual assistance to complete needed activities.

2	ATLANTIC SEA RUN SALMON COMMISSION	
	TOTAL	<u>8,431</u>
4	ATTORNEY GENERAL, DEPARTMENT OF THE	
6	Administration - Attorney General	
8	All Other	7,929
10	Provides for the allocation of funds for	
12	contractual assistance to complete needed	
14	activities to assist families of homicide	
	victims.	
16	Administration - Attorney General	
18	All Other	14,966
20	Provides for the allocation of funds for	
22	contractual assistance to complete needed	
	activities related to drug prosecution.	
24	DEPARTMENT OF THE ATTORNEY GENERAL	
	TOTAL	<u>22,895</u>
26		
28	CONSERVATION, DEPARTMENT OF	
30	Maine Conservation Corps	
32	All Other	21,850
34	Provides for the allocation of funds for	
36	contractual assistance to complete needed	
	activities related to a youth corps program.	
38	DEPARTMENT OF CONSERVATION	
	TOTAL	<u>21,850</u>
40		
42	CORRECTIONS, DEPARTMENT OF	
44	Correctional Center	
46	All Other	13,081
48	Provides for the allocation of funds for	
50	contractual assistance to complete needed	
	teaching activities.	
52		

2	Youth Center - Maine	
4	All Other	17,866
6	Provides for the allocation of funds for contractual assistance to complete needed teaching activities related to the federal migrant grant awarded to the Maine Youth Center by the Department of Education.	
10	Youth Center - Maine	
12	All Other	49,600
14	Capital Expenditures	(49,600)
16	TOTAL	<hr/> 0
18	Provides for the allocation of funds through a line category transfer for contractual assistance to complete needed teaching activities related to the special education grant awarded to the Maine Youth Center by the Department of Education.	
22		
24		
26	DEPARTMENT OF CORRECTIONS	
28	TOTAL	<hr/> 30,947
30	DEFENSE AND VETERANS' SERVICES,	
32	DEPARTMENT OF	
34	Military Training and Operations	
36	All Other	17,500
38	Provides for the allocation of funds for contractual assistance to complete needed activities.	
40		
42	DEPARTMENT OF DEFENSE AND VETERANS' SERVICES	
44	TOTAL	<hr/> 17,500
46	ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
48	Air Quality Control	
50	All Other	29,323

2 Provides for the allocation of funds for
 contractual services to complete needed
 activities.

4

6 **Pollution Prevention**

8 All Other 6,250

10 Provides for the allocation of funds for
 contractual assistance to complete needed
 12 activities related to providing assistance
 to the public and governmental entities.

14

16 **Water Quality Control**

18 All Other 7,260

20 Provides for the allocation of funds for
 contractual assistance to complete needed
 22 activities related to carrying out
 regulatory development and administration.

24

26 **Water Quality Control**

28 All Other 20,228

30 Provides for the allocation of funds for
 contractual assistance to complete needed
 32 activities related to assisting
 municipalities in reducing pollution from
 wastewater discharges.

34

36 **Water Quality Control**

38 All Other 5,977

40 Provides for the allocation of funds or
 contractual assistance to complete needed
 42 activities related to carrying out the
 Non-Point Source Program.

44 **Water Quality Control**

46 All Other 6,464

48 Provides for the allocation of funds for
 contractual assistance to complete needed
 50 activities related to the administration of
 the Underground Injection Control Program.

52

DEPARTMENT OF ENVIRONMENTAL PROTECTION

2		
4	TOTAL	75,502
6	EXECUTIVE DEPARTMENT	
8	Maine Science and Technology Commission	
10	All Other	6,772
12	Provides for the allocation of funds for	
14	contractual assistance to complete needed	
	activities.	
16	Planning Office	
18	All Other	16,092
20	Provides for the allocation of funds for	
22	contractual assistance to complete needed	
	activities.	
24	EXECUTIVE DEPARTMENT	
	TOTAL	<hr/> 22,864
26	HUMAN SERVICES, DEPARTMENT OF	
28	Health - Bureau of	
30	All Other	15,885
32	Provides for the allocation of funds for	
34	contractual assistance to continue needed	
36	activities in the Childhood Lead Poisoning	
	Program.	
38	Health - Bureau of	
40	All Other	7,036
42	Provides for the allocation of funds for	
44	contractual assistance to continue needed	
46	activities in the Sexually Transmitted	
	Disease Program.	
48	Health - Bureau of	
50	All Other	5,416
	Provides for the allocation of funds for	

2	contractual assistance to continue needed activities in the Tuberculosis Control/AIDS Grant.	
4		
6	Health - Bureau of	
8	All Other	19,457
10	Provides for the allocation of funds for contractual assistance to continue needed activities in the Year 2000 Surveillance Project Cooperative Agreement.	
12		
14	Health - Bureau of	
16	All Other	25,505
18	Provides for the allocation of funds for contractual assistance to continue needed activities in the "Core Capacity Building for Breast and Cervical Cancer" grant.	
20		
22		
24	Medical Care Administration	
26	All Other	11,998
28	Provides for the allocation of funds for contractual assistance to continue needed activities in the Managed Care Demonstration Project for Low-income Adults.	
30		
32		
34	Medical Care Administration	
36	All Other	31,897
38	Provides for the allocation of funds for contractual assistance to continue needed activities in the Clinical Laboratory Improvement Amendment.	
40		
42	DEPARTMENT OF HUMAN SERVICES	
44	TOTAL	<hr/> 117,194
46	LABOR, DEPARTMENT OF	
48	Job Training Partnership Program	
50	All Other	163,069
52	Provides for the allocation of funds for contractual assistance in the Summer Youth	

2	Employment and Training Program for the	
	service delivery area involving the counties	
	of Kennebec, Somerset, Washington and York.	
4		
6	DEPARTMENT OF LABOR	
	TOTAL	<u>163,069</u>
8	MARINE RESOURCES, DEPARTMENT OF	
10	Marine Sciences - Bureau of	
12	All Other	6,000
14	Provides for the allocation of funds for	
	contractual assistance to continue needed	
16	activities in the department's Federal	
	Education program.	
18		
20	DEPARTMENT OF MARINE RESOURCES	
	TOTAL	<u>6,000</u>
22		
24	MENTAL HEALTH AND MENTAL RETARDATION,	
	DEPARTMENT OF	
26	Mental Health Services - Children	
28	All Other	8,965
30	Provides for the allocation of funds for	
	contractual assistance to continue needed	
32	activities.	
34	DEPARTMENT OF MENTAL HEALTH AND	
	MENTAL RETARDATION	
36	TOTAL	<u>8,965</u>
38	TOTAL ALLOCATIONS	
	SECTION 3	<u>\$495,217</u>
40		
42	Sec. 4. Allocation. The following funds are allocated from	
	Other Special Revenue to carry out the purposes of this Act.	
44		1992-93
46	ATTORNEY GENERAL, DEPARTMENT OF THE	
48	Administration - Attorney General	
50	All Other	\$5,082

2 Provides for the allocation of funds for
3 contractual assistance to continue needed
4 activities.

5 **DEPARTMENT OF THE ATTORNEY GENERAL**
6 **TOTAL** 5,082

7
8 **CONSERVATION, DEPARTMENT OF**
9
10 **Geographic-Based Information Services**

11 All Other 31,169

12 Provides for the allocation of funds for
13 contractual assistance to continue needed
14 activities related to providing
15 geographic-based information system products
16 and services and to distribute
17 geographic-based information system data to
18 the public.

19
20
21 **DEPARTMENT OF CONSERVATION**
22 **TOTAL** 31,169

23
24
25 **ECONOMIC AND COMMUNITY DEVELOPMENT,**
26 **DEPARTMENT OF**

27 **Comprehensive Land Use Planning**

28 All Other 3,725

29 Provides for the allocation of funds for
30 contractual assistance to continue needed
31 activities.

32
33 **DEPARTMENT OF ECONOMIC AND COMMUNITY**
34 **DEVELOPMENT**
35 **TOTAL** 3,725

36
37 **HUMAN SERVICES, DEPARTMENT OF**

38 **Nuclear Safety Program**

39 All Other 5,242

40 Provides for the allocation of funds for
41 contractual assistance to continue needed
42 activities in the Radiation Control program.

2	DEPARTMENT OF HUMAN SERVICES	
	TOTAL	<hr/> 5,242
4	JUDICIAL DEPARTMENT	
6	Total Quality Management	
8	All Other	22,200
10	Provides for the allocation of funds for	
12	contractual assistance to implement Total	
14	Quality Management.	
16	Judicial Branch/DHS IV-D Cooperative	
	Agreement Project	
18	All Other	17,500
20	Provides for the allocation of funds for	
22	contractual assistance to continue needed	
24	activities in accordance with the Judicial	
	Branch/DHS IV-D Cooperative Agreement.	
26	JUDICIAL DEPARTMENT	
	TOTAL	<hr/> 39,700
28	MENTAL HEALTH AND MENTAL RETARDATION,	
30	DEPARTMENT OF	
32	Substance Abuse Services - Mental Health and	
34	Mental Retardation	
36	All Other	165,998
38	Provides for the allocation of funds from a	
40	Robert Wood Johnson Foundation Grant for	
	dual diagnosis services.	
42	DEPARTMENT OF MENTAL HEALTH AND	
	MENTAL RETARDATION	
44	TOTAL	<hr/> 165,998
46	PUBLIC SAFETY, DEPARTMENT OF	
48	Fire Marshal - Office of	
50	All Other	24,117
52	Provides for the allocation of funds for	

2 contractual assistance for the purpose of
conducting child care facility inspections.

4 **DEPARTMENT OF PUBLIC SAFETY**
5 **TOTAL** 24,117

6 **TOTAL ALLOCATIONS**
8 **SECTION 4** \$275,033

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

1992-93

14 **ADMINISTRATIVE AND FINANCIAL SERVICES,**
16 **DEPARTMENT OF**

18 **Central Motor Pool**

20 All Other \$22,544

22 Provides for the allocation of funds for
24 contractual assistance to continue needed
activities.

26 **DEPARTMENT OF ADMINISTRATIVE**
28 **AND FINANCIAL SERVICES**
TOTAL 22,544

30 **TOTAL ALLOCATIONS**
32 **SECTION 5** \$22,544

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

36 1992-93

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

42 **Mental Health Services - Community**

44 All Other \$168,537

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

50 **DEPARTMENT OF MENTAL HEALTH AND**
52 **MENTAL RETARDATION**
TOTAL 168,537

2 **TOTAL ALLOCATIONS** \$168,537
3 **SECTION 6**

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

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

10 Unallocated (\$900,000)
11 (\$875,681)

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

16 **1992-93**

18 **HUMAN SERVICES, DEPARTMENT OF**

20 **Administration - Social Services**

22 Positions - Legislative Count (-1.0)
23 Personal Services (\$27,955)
24 All Other (7,431)

26 **TOTAL** (35,386)

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

32 **DEPARTMENT OF HUMAN SERVICES**
34 **TOTAL** (35,386)

36 **TOTAL APPROPRIATIONS**
37 **SECTION 9** (\$35,386)

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

42 **1992-93**

44 **HUMAN SERVICES, DEPARTMENT OF**

46 **Child Care Food Program**

48 Positions - Other Count (1.0)
50 Personal Services \$27,955

2	All Other	7,431
4	TOTAL	<u>35,386</u>
6	Provides for the allocation of funds from the transfer of one Social Service Program Specialist II position from Administration - 8 Social Services, General Fund.	
10	DEPARTMENT OF HUMAN SERVICES	
12	TOTAL	<u>35,386</u>
14	TOTAL ALLOCATIONS SECTION 10	<u>\$35,386</u>

16 **Emergency clause.** In view of the emergency cited in the
18 preamble, this Act takes effect when approved.

20 **FISCAL NOTE**

22 APPROPRIATIONS/ALLOCATIONS:

24		1992-93
26	Federal Expenditure Fund, Section 3	495,217
28	Federal Expenditure Fund, Section 10	35,386
30	Other Special Revenue, Section 4	275,033
32	Internal Service Fund, Section 5	22,544
34	Federal Block Grant Fund, Section 6	168,537
36	General Fund, Section 9	(35,386)

38 This bill allocates funds from various non-General Fund
40 resources for emergency purposes in fiscal year 1992-93.
42 Additionally, this bill provides for the transfer of one General
44 Fund position to the Federal Expenditure Fund.

46 **STATEMENT OF FACT**

48 This bill allocates funds from various non-General Fund
resources for certain contractual services in fiscal year
1992-93. It also specifies that, as of the effective date of
this Act, state positions, be they full-time, limited-period,
temporary, etc. can be established only by the Legislature.
Additionally, this bill provides for the transfer of one General
Fund position to the Federal Expenditure Fund, allocates Federal
Block Grant funds and makes technical corrections.