

# MAINE STATE LEGISLATURE

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# 117th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1995

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Legislative Document

No. 1412

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H.P. 1001

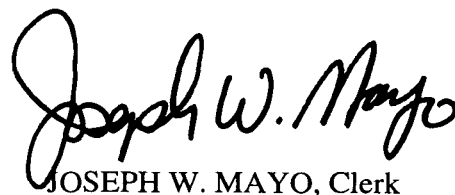
House of Representatives, April 25, 1995

**An Act to Make Additional Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1995.**

(EMERGENCY)

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Reference to the Committee on Appropriations and Financial Affairs suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative KERR of Old Orchard Beach. (GOVERNOR'S BILL)  
Cosponsored by Senator: HANLEY of Oxford.



2 Provides for the deappropriation of funds  
 4 through a transfer to the office of the  
 Commissioner of Administrative and Financial  
 6 Services program to meet unanticipated  
 expenditures. Funds are no longer required  
 in this program.

8

**10 Accounts and Control - Bureau of -  
 Systems Project**

12 All Other (500,000)

14 Provides for the deappropriation of funds  
 through savings in data processing.

16

**18 Budget - Bureau of the**

20 Personal Services (40,000)

22 Provides for the deappropriation of funds  
 through salary savings.

**24 Elderly Householders' Tax Refund**

26 All Other (127,908)

28 Provides for the deappropriation of funds  
 through a transfer to the Division of  
 30 Financial and Personnel Services program in  
 order to settle a federal audit finding.  
 32 Funds are no longer needed in this account.

**34 Financial and Personnel Services -  
 Division of**

36 All Other 200,000

38 Provides for the appropriation of funds  
 40 through a transfer from the Maine Residents  
 Property Tax program to settle an audit  
 42 finding with the Federal Government related  
 to overcharges to federal accounts for  
 44 health insurance.

**46 Public Improvements - Planning/Construction -  
 Administration**

48 Personal Services (10,000)

50

2	Provides for the deappropriation of funds through salary savings.	
<b>4</b>	<b>Maine Residents Property Tax Program</b>	
6	All Other	(72,092)
8	Provides for the deappropriation of funds through the transfer to the Division of Financial and Personnel Services program in order to settle a federal audit finding. Funds are no longer needed in this program.	
<b>14</b>	<b>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</b>	
<b>16</b>	<b>TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> (656,952)
<b>18</b>	<b>ATTORNEY GENERAL, DEPARTMENT OF THE</b>	
<b>20</b>	<b>Administration - Attorney General</b>	
22	Personal Services	(120,000)
24	Provides for the deappropriation of funds through salary savings.	
26	<b>Human Services Division</b>	
28	Personal Services	(30,000)
30	Provides for the deappropriation of funds through salary savings.	
<b>34</b>	<b>Human Services Division</b>	
36	Personal Services	(12,000)
38	Provides for the deappropriation of funds from available salary savings.	
40	<b>Chief Medical Examiner - Office of</b>	
42	All Other	12,000
44	Provides for the appropriation of funds to meet year-end projected costs.	
46		
48	<b>DEPARTMENT OF THE ATTORNEY GENERAL</b>	
<b>50</b>	<b>TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> (150,000)

2	<b>CONSERVATION, DEPARTMENT OF</b>	
4	<b>Engineering and Realty</b>	
6	Personal Services	(20,000)
8	Provides for the deappropriation of funds through salary savings.	
10		
12	<b>DEPARTMENT OF CONSERVATION</b>	
	<b>TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> (20,000)
14	<b>DEFENSE AND VETERANS' SERVICES,</b>	
	<b>DEPARTMENT OF</b>	
16	<b>Administration - Maine Emergency Management</b>	
18	<b>Agency</b>	
20	Personal Services	(28,000)
22	Provides for the deappropriation of funds from salary savings due to vacancies.	
24		
26	<b>Military Training and Operations</b>	
	Personal Services	(27,100)
28	All Other	63,600
30	<b>TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> 36,500
32	Provides for the appropriation of funds through the line category transfer of	
34	Personal Services savings generated through vacancies to All Other to cover increased	
36	workers' compensation obligations.	
38	<b>Military Training and Operations</b>	
40	All Other	255,000
42	Provides for the appropriation of funds to cover increased All Other expenses, and for	
44	repayment of the working capital advance from Public Law 1983, chapter 477, Part E,	
46	Subpart 12.	
48	<b>Veterans Services</b>	
50	Personal Services	(6,200)

2	All Other	6,200
		<hr/>
4	TOTAL	0
6	Provides for the line category transfer of Personal Services savings to All Other to satisfy increased All Other obligations.	
8	<b>Special Veterans Services</b>	
10	Personal Services	(8,500)
12	Provides for the deappropriation of funds from salary savings generated through extended vacancies.	
14		
16		
18	<b>DEPARTMENT OF DEFENSE AND VETERANS' SERVICES</b>	
	<b>TOTAL</b>	<hr/> 255,000
20		
22	<b>ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF</b>	
24	<b>Administration - Economic and Community Development</b>	
26	All Other	252,500
28	Provides for the appropriation of funds for a shortage due to modular furniture, relocation and other costs.	
30		
32	<b>Contingent Account</b>	
34	All Other	27,500
36	Provides for the appropriation of funds to pay certain rent obligations remaining in fiscal year 1994-95. Notwithstanding any other provision of law, the Department of Administrative and Financial Services, Bureau of General Services is not authorized to pay May or June 1995 rent payments until authorized by the Commissioner of Economic and Community Development to do so. These funds do not lapse but must be carried forward until June 30, 1996 for the same purposes.	
38		
40		
42		
44		
46		
48		
50	<b>Energy Resources - Office of</b>	

2	Personal Services	(20,558)
4	Provides for the deappropriation of funds through salary savings.	
6		
8	<b>DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT</b>	
	<b>TOTAL</b>	<hr/> 259,442
10		
12	<b>EDUCATION, DEPARTMENT OF</b>	
	<b>Administrative Services Unit</b>	
14		
16	All Other	(500)
18	Provides for the deappropriation of funds to be transferred to Preschool Handicapped.	
20	<b>Educational Restructuring and Improvements</b>	
22		
24	All Other	(14,600)
26	Provides for the deappropriation of funds to be transferred to Preschool Handicapped.	
28	<b>Division of Higher Education</b>	
30	All Other	(800)
32	Provides for the deappropriation of funds to be transferred to Preschool Handicapped.	
34		
36	<b>Preschool Handicapped</b>	
38	All Other	398,400
40	Provides for the appropriation of funds for preschool handicapped students requiring public education services for compliance with the federal Individuals with Disabilities Education Act.	
42		
44		
46	<b>Reimbursement for State Mandates</b>	
48	All Other	(2,500)
50	Provides for the deappropriation of funds to be transferred to Preschool Handicapped.	



2	<b>Division of School Business Services</b>	
4	All Other	(50,000)
6	Provides for the deappropriation of funds to be transferred to Preschool Handicapped.	
8		
	<b>Division of Special Services</b>	
10	All Other	(30,000)
12	Provides for the deappropriation of funds to be transferred to Preschool Handicapped.	
14		
16	<b>DEPARTMENT OF EDUCATION</b>	
	<b>TOTAL</b>	<hr/> 300,000
18		
	<b>EXECUTIVE DEPARTMENT</b>	
20		
	<b>Blaine House</b>	
22	Personal Services	(25,157)
24	Provides for the deappropriation of funds through salary savings.	
26		
28	<b>Planning Office</b>	
30	Personal Services	(35,000)
32	Provides for the deappropriation of funds through salary savings.	
34		
	<b>Office of Substance Abuse</b>	
36	Personal Services	(42,145)
38	Provides for the deappropriation of funds through salary savings.	
40		
42	<b>EXECUTIVE DEPARTMENT</b>	
	<b>TOTAL</b>	<hr/> (102,302)
44		
	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
46		
	<b>Administration - Human Services</b>	
48	Personal Services	70,000
50		

2	Provides for the appropriation of funds to cover an anticipated shortfall in Personal Services.	
4		
	<b>Administration - Regional - Human Services</b>	
6	Personal Services	10,000
8		
10	Provides for the appropriation of funds to cover an anticipated shortfall in Personal Services.	
12		
	<b>Administration - Income Maintenance</b>	
14	Personal Services	50,000
16		
18	Provides for the appropriation of funds to cover an anticipated shortfall in Personal Services.	
20		
	<b>Administration - Social Services</b>	
22	Personal Services	70,000
24		
26	Provides for the appropriation of funds to cover an anticipated shortfall in Personal Services.	
28		
	<b>Child Welfare Services</b>	
30	All Other	1,020,000
32		
34	Provides for the appropriation of funds to cover an anticipated shortfall in fiscal year 1994-95.	
36		
	<b>Elder and Adult Services - Bureau of</b>	
38	Personal Services	100,000
40		
42	Provides for the appropriation of funds to cover an anticipated shortfall in Personal Services.	
44		
	<b>Elder and Adult Services - Bureau of</b>	
46	Positions - Legislative Count	(-1.0)
48	Personal Services	(7,251)
50	Provides for the deappropriation of funds	

2 for the transfer of one Clerk Typist III  
position to the Bureau of Medical Services.

4 **Health - Bureau of**

6 All Other (170,000)

8 Provides for the deappropriation of funds  
10 from a claim for administrative case  
12 management through the federal Title XIX  
program.

14 **Income Maintenance - Regional**

16 Personal Services 250,000

18 Provides for the appropriation of funds to  
20 cover an anticipated shortfall in Personal  
Services.

22 **Medical Care - Payments to Providers**

24 All Other (250,000)

26 Provides for the deappropriation of funds  
28 due to reimbursement of early intervention  
funds from the Department of Education.

30 **Medical Care Administration**

32 All Other (1,150,000)

34 Provides for the deappropriation of funds  
36 due to a retroactive claim through federal  
Title XIX for the Maine Health Program  
administration costs from January 1, 1993 to  
December 31, 1994.

38 **Medical Care Administration**

40 Personal Services 150,000

42 Provides for the appropriation of funds to  
44 cover an anticipated shortfall in Personal  
Services.

46 **Medical Care Administration**

48 Positions - Legislative Count (1.0)

50 Personal Services 7,251

2	Provides for the appropriation of funds for	
	the transfer of one Clerk Typist III	
4	position from the Bureau of Elder and Adult	
	Services.	
6		
	<b>Social Services - Regional</b>	
8		
	Personal Services	500,000
10		
	Provides for the appropriation of funds to	
12	cover an anticipated shortfall in Personal	
	Services.	
14		
	<b>State Supplement to Federal Supplemental</b>	
16	<b>Security Income</b>	
18	All Other	850,000
20		
	Provides for the appropriation of funds due	
22	to an anticipated shortfall.	
	<b>DEPARTMENT OF HUMAN SERVICES</b>	
24	<b>TOTAL</b>	<hr/> 1,500,000
26	<b>JUDICIAL DEPARTMENT</b>	
28	<b>Courts - Supreme, Superior, District</b>	
	<b>and Administrative</b>	
30		
	All Other	750,000
32		
	Provides for the appropriation of funds to	
34	meet general operating costs for the	
	remainder of fiscal year 1994-95.	
36		
	<b>JUDICIAL DEPARTMENT</b>	
38	<b>TOTAL</b>	<hr/> 750,000
40	<b>MARINE RESOURCES, DEPARTMENT OF</b>	
42	<b>Administration - Marine Resources</b>	
44		
	Personal Services	5,500
46		
	Provides for the appropriation of funds	
48	through the transfer from the Bureau of	
	Marine Sciences program to meet a projected	
50	shortage in the 4th quarter payroll.	

	<b>Marine Development - Bureau of</b>	
2	Personal Services	2,000
4		
6	Provides for the appropriation of funds	
8	through a transfer from the Bureau of Marine	
	Sciences program to meet a projected	
	shortage in the 4th quarter payroll.	
<b>10</b>	<b>Marine Patrol - Bureau of</b>	
12	Personal Services	36,700
14		
16	Provides for the appropriation of funds	
18	through the transfer from the Bureau of	
	Marine Sciences program. The shortage is	
	due to the excessive separation costs	
	associated with 2 retirements.	
<b>20</b>	<b>Marine Sciences - Bureau of</b>	
22	Personal Services	(44,200)
24		
26	Provides for the deappropriation of funds	
28	through the transfer to the Bureau of Marine	
30	Patrol, the Bureau of Marine Development and	
	the Marine Resources Administration programs	
	to meet projected shortages in the 4th	
	quarter payroll.	
<b>32</b>	<b>DEPARTMENT OF MARINE RESOURCES</b>	
	<b>TOTAL</b>	<hr style="width: 100%; border: 0.5px solid black; margin-bottom: 5px;"/> 0
<b>34</b>	<b>MENTAL HEALTH AND MENTAL RETARDATION,</b>	
<b>36</b>	<b>DEPARTMENT OF</b>	
	<b>Medicaid Services - Mental Retardation</b>	
38		
40	All Other	3,769,030
42		
44	Provides for the appropriation of funds to	
46	the Division of Mental Retardation seed	
	account to cover the costs of the weekly	
	seed charges from the Department of Human	
	Services for the remainder of fiscal year	
	1994-95.	
<b>48</b>	<b>Mental Health Services - Community Medicaid</b>	
50	All Other	(300,000)

2 Provides for the deappropriation of funds  
4 from the Division of Mental Health seed  
6 account to transfer to the Division of  
8 Mental Retardation seed account to cover the  
cost of the Medicaid seed for the remainder  
of fiscal year 1994-95.

**Mental Health Services - Children**

10 All Other (50,000)

12 Provides for the deappropriation of funds  
14 through a transfer to the Division of Mental  
16 Retardation seed account to cover the cost  
of the Medicaid seed for the remainder of  
fiscal year 1994-95.

**Mental Retardation Services - Community**

20 All Other (300,000)

22 Provides for the deappropriation of funds  
24 from the Division of Mental Retardation  
operating fund All Other line category to be  
26 transferred to the Division of Mental  
Retardation seed account to cover the cost  
28 of the Medicaid seed for the remainder of  
fiscal year 1994-95.

30 **DEPARTMENT OF MENTAL HEALTH AND MENTAL**  
32 **RETARDATION**  
**TOTAL** 3,119,030

34 **PROPERTY TAX REVIEW, STATE BOARD OF**

36 **Property Tax Review - State Board of**

38 All Other (55,000)

40 Provides for the deappropriation of funds  
42 through savings in professional services by  
the State.

44 **STATE BOARD OF PROPERTY TAX REVIEW**  
46 **TOTAL** (55,000)

48 **PUBLIC SAFETY, DEPARTMENT OF**  
50

2	<b>Administration - Public Safety</b>	
4	Personal Services	(49,017)
6	Provides for the deappropriation of funds through salary savings.	
8	<b>DEPARTMENT OF PUBLIC SAFETY</b>	
10	<b>TOTAL</b>	<hr/> (49,017)
12	<b>TREASURER OF STATE, OFFICE OF</b>	
14	<b>Debt Service - Treasury</b>	
16	All Other	1,241,583
18	Provides for the appropriation of funds to meet debt service needs for fiscal year 1994-95. An additional \$1,482,414 will also be transferred from debt service earnings.	
22	<b>OFFICE OF TREASURER OF STATE</b>	
24	<b>TOTAL</b>	<hr/> 1,241,583
26	<b>SECTION A-1</b>	
28	<b>TOTAL APPROPRIATIONS</b>	<hr/> 6,391,784
30	<b>Sec. A-2. Allocation.</b> The following funds are allocated from the Highway Fund for the fiscal year ending June 30, 1995 to carry out the purposes of this Part.	
32		<b>1994-95</b>
34	<b>ADMINISTRATIVE AND FINANCIAL SERVICES,</b>	
36	<b>DEPARTMENT OF</b>	
38	<b>Claims Board</b>	
40	Personal Services	(8,000)
42	All Other	8,000
44	Provides for the allocation of funds through the line category transfer from Personal Services salary savings to All Other to meet unexpected court-related expenditures.	
46		
48	<b>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</b>	
50	<b>TOTAL</b>	<hr/> 0

2	<b>SECTION A-2</b>	
	<b>TOTAL ALLOCATIONS</b>	0
4	<b>Sec. A-3. Allocation.</b> The following funds are allocated from	
6	the Federal Expenditures Fund for the fiscal year ending June 30,	
	1995 to carry out the purposes of this Part.	
8		<b>1994-95</b>
10	<b>EDUCATION, DEPARTMENT OF</b>	
12	<b>School to Work Transition</b>	
14	All Other	(150,000)
16	Provides for the deallocation of funds to be	
18	transferred to the Department of Labor, Job	
	Training Partnership Program as part of the	
20	federal school-to-work opportunities project.	
22	<b>DEPARTMENT OF EDUCATION</b>	
	<b>TOTAL</b>	(150,000)
24	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
26	<b>Elder and Adult Services - Bureau of</b>	
28	All Other	38,500
	Capital Expenditures	1,500
30		
	<b>TOTAL</b>	<u>40,000</u>
32		
34	Provides for the allocation of funds to	
	support the Maine NET long-term care federal	
36	planning grant to design a capitated managed	
	care system for long-term care services for	
38	the elderly.	
40	<b>Elder and Adult Services - Bureau of</b>	
	Positions - Other Count	(1.0)
42	Personal Services	7,251
44	Provides for the allocation of funds for the	
46	transfer of one Clerk Typist III position	
	from the Bureau of Medical Services.	
48	<b>Medical Care Administration</b>	
50	All Other	1,150,000



2 Provides for the allocation of funds for the  
transfer of administrative costs and  
4 subsequent reimbursement to the General Fund  
as a result of the recovery of  
6 administrative costs for the Maine Health  
Program from the cost allocation claim to  
8 federal Title XIX.

**10 Medical Care Administration**

12 Positions - Other Count (-1.0)  
Personal Services (7,251)

14 Provides for the deallocation of funds for  
16 the transfer of one Clerk Typist III  
position to the Bureau of Elder and Adult  
18 Services.

**20 DEPARTMENT OF HUMAN SERVICES**  
**TOTAL**

---

1,190,000

**22 LABOR, DEPARTMENT OF**

**24 Job Training Partnership Program**

26 Personal Services 50,000  
28 All Other 100,000

30 Provides for the allocation of funds through  
the transfer from the Department of  
32 Education for the purpose of supporting the  
federal school-to-work opportunities project.

**34 DEPARTMENT OF LABOR**  
**36 TOTAL**

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150,000

**38 SECTION A-3**  
**TOTAL ALLOCATIONS**

---

1,190,000

40 **Sec. A-4. Allocation.** The following funds are allocated from  
42 Other Special Revenue funds for the fiscal year ending June 30,  
1995 to carry out the purposes of this Part.

**1994-95**

**46 EDUCATION, DEPARTMENT OF**

**48 Administrative Office of the Commissioner**

50

2	All Other	1,000
4	Provides for the allocation of funds for the Commissioner's Task Force on Safe and Drug Free Schools.	
6	<b>DEPARTMENT OF EDUCATION</b>	
8	<b>TOTAL</b>	<hr/> 1,000
10	<b>SECTION A-4</b>	
12	<b>TOTAL ALLOCATIONS</b>	<hr/> 1,000
14	<b>Sec. A-5. Allocation.</b> The following funds are allocated from the Federal Block Grant Fund for the fiscal year ending June 30, 1995 to carry out the purposes of this Part.	
16		<b>1994-95</b>
18	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
20	<b>Risk Reduction</b>	
22	Personal Services	(20,000)
24	All Other	20,000
26	Provides for the allocation of funds through the line category transfer of Personal Services salary savings to All Other for consultant work on cholesterol site visits and workshops.	
32	<b>DEPARTMENT OF HUMAN SERVICES</b>	
34	<b>TOTAL</b>	<hr/> 0
36	<b>SECTION A-5</b>	
38	<b>TOTAL ALLOCATIONS</b>	<hr/> 0
40	<b>Sec. A-6. Allocation.</b> The following funds are allocated from the Tree Harvesting Fund for the fiscal year ending June 30, 1995 to carry out the purposes of this Part.	
42		<b>1994-95</b>
44	<b>BAXTER STATE PARK AUTHORITY</b>	
46	<b>Tree Harvesting Fund</b>	
48	All Other	100,000
	Provides for the allocation of funds to	

2 raise the level of expenditures to meet  
higher than anticipated revenues.

4 **BAXTER STATE PARK AUTHORITY**  
6 **TOTAL** 100,000

8 **SECTION A-6**  
**TOTAL ALLOCATIONS** \$100,000

10 **PART B**

12 **Sec. B-1. PL 1993, c. 410, Pt. EEE, §1** is repealed.

14 **Sec. B-2. PL 1993, c. 410, Pt. EEE, §2** is repealed.

16 **Sec. B-3. Transfer of funds.** Notwithstanding the Maine Revised  
18 Statutes, Title 5, section 1585, an amount not to exceed  
\$9,700,000 in fiscal year 1994-95 may be transferred from the  
20 available balance in the Maine Rainy Day Fund to the Departments  
and Agencies - Statewide program in the Department of  
22 Administrative and Financial Services to be made available by  
financial order upon the recommendation of the State Budget  
24 Officer and approval of the Governor to be used for  
remodification of state employees' pay dates.

26 Allocations from the Highway Fund in section 6 of this Part  
28 are to be made available by financial order upon the  
recommendation of the State Budget Officer and approval of the  
30 Governor to be used for remodification of state employees' pay  
dates for the affected Highway Fund accounts.

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

36 **1994-95**  
38 **ADMINISTRATIVE AND FINANCIAL SERVICES,**  
40 **DEPARTMENT OF**

42 **Departments and Agencies - Statewide**

44 Personal Services \$9,700,000

46 Provides for the appropriation of funds  
48 associated with a modification of Cycle A  
and Cycle B payrolls in accordance with this  
50 Part.

2 **Rainy Day Fund Program**

3 Unallocated (\$9,700,000)

4 **DEPARTMENT OF ADMINISTRATIVE**  
6 **AND FINANCIAL SERVICES**  
7 **TOTAL**

\_\_\_\_\_ \$ -0-

8 **Sec. B-5. Deappropriation.** It is the intent of the  
10 Legislature that \$9,700,000 be deappropriated from the  
12 Departments and Agencies - Statewide program in the Department of  
14 Administrative and Financial Services within the 1995-96 General  
Fund "Current Services" budget bill in order to ensure that  
identified surplus personal services funds are returned to the  
Maine Rainy Day Fund.

16 **Sec. B-6. Allocation.** The following funds are allocated from  
18 the Highway Fund to carry out the purpose of this Part.

20 **1994-95**

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

24 **Departments and Agencies - Statewide**

26 Personal Services \$4,500,000

28 Provides for the allocation of funds  
30 associated with the modification of Cycle A  
32 and Cycle B payrolls in accordance with this  
Part.

34 **PART C**

36  
38 **Sec. C-1. PL 1993, c. 707, Pt. M, §1,** as amended by PL 1995, c. 5,  
Part G, § 2, is further amended to read:

40 **Sec. M-1. General Purpose Aid for Local Schools; lapsed balances.**  
42 Notwithstanding any other provision of law, ~~\$348,406~~ \$368,406 in  
44 fiscal year 1994-95 in the General Purpose Aid for Local Schools  
46 account lapse to the General Fund as a result of construction  
48 audit recoveries and ~~\$600,000~~ \$880,000 lapse as the result of the  
calculation of individual school unit subsidies, the estimation  
of bond interest and the timing of bonding by school  
administration units for construction projects.

2           **Sec. C-2. Carrying balance.** Any balance remaining on June 30,  
1995 in the General Fund "Public Improvements - Planning  
4           Constructions - Administration" program in the Department of  
Administrative and Financial Services may not lapse but must be  
6           carried forward until June 30, 1996 to be used for the same  
purpose.

8           **Sec. C-3. Lapsed balances.** Any balances remaining in the  
Blaine House Renovations and Repairs General Fund account within  
10          the Executive Department must lapse to the General Fund by June  
30, 1995.

12          **Sec. C-4. Lapsed balances.** Any balances remaining in the  
14          Governor's Restructuring Commission General Fund account within  
the Executive Department must lapse to the General Fund by June  
16          30, 1995.

18          **Sec. C-5. Revenue reprojction.** Notwithstanding the Maine  
Revised Statutes, Title 5, section 1513, subsection 1, the April  
20          1995 increase of revenue estimates for the fiscal year 1994-95  
during the First Regular Session of the 117th Legislature does  
22          not increase the appropriation to the Maine Rainy Day Fund.

24          **Sec. C-6. Revenue reprojction.** Notwithstanding the Maine  
Revised Statutes, Title 30-A, section 5683, subsection 3, the  
26          April 1995 increase of revenue estimates for fiscal year 1994-95  
during the First Regular Session of the 117th Legislature does  
28          not increase the appropriation to the Property Tax Relief Fund.

30          **Sec. C-7. Transfer of funds.** Notwithstanding the Maine Revised  
Statutes, Title 5, section 1585, the State Controller is  
32          authorized to transfer \$1,500,000 from AFDC Special Revenues,  
Account 014-10A-0138-01 to the General Fund as undedicated  
34          revenue no later than June 30, 1995.

36          **Sec. C-8. Transfer of funds.** Notwithstanding the Maine Revised  
Statutes, Title 5, section 1585, the State Controller is  
38          authorized to transfer \$900,000 from the Securities Division,  
Account 014-02A-0093-02 to the General Fund as undedicated  
40          revenue no later than June 30, 1995.

42          **Sec. C-9. Working capital advance.** The Department of Defense  
and Veterans' Services shall return the working capital advance  
44          in the amount of \$165,000, as authorized by Public Law 1983,  
chapter 477, Part E, subpart 12, to the General Fund no later  
46          than June 30, 1995.

2 **PART D**

4 **Sec. D-1. Productivity initiatives.** The intent of the  
6 productivity initiative is to expedite and facilitate the  
8 implementation of improvements in State Government operations  
10 through the realization of cost savings from increased  
12 productivity of state employees, more efficient delivery of  
14 services and the elimination of waste, duplication and  
16 unnecessary programs. The initiative is designed to provide  
incentives to state agencies and employees to participate through  
the sharing of any savings realized among the General Fund, state  
department budgets and employees according to a predetermined  
formula. The intent of this Part is to develop a mechanism so as  
to achieve \$45,346,780 in savings to the General Fund in the  
1996-97 biennium as identified in the 1996-97 General Fund  
current services budget Act.

18 **Sec. D-2. Productivity Realization Task Force.**

20 **1. Task force established.** The Productivity Realization  
22 Task Force, referred to in this Part as the "task force," is  
24 established to advise and assist the Governor and the Legislature  
in the design and implementation of changes in State Government  
operations intended to improve the productivity of the work force  
26 and the efficiency of state services. The task force is solely  
an advisory group and has no independent authority.

28 **2. Membership; chair.** The task force consists of 13  
30 members. The Governor shall appoint 6 members, to include 2  
32 members from the Governor's cabinet, one member representing the  
business sector, one member representing employee unions and one  
34 state employee; the Speaker of the House shall appoint 3 members,  
to include at least one Representative and one member  
36 representing the public sector; the President of the Senate shall  
appoint 3 members, to include one Senator and one member  
38 representing the private sector; and the Chief Justice of the  
Supreme Judicial Court or the chief justice's designee is a  
40 member. The Governor, the President of the Senate and the  
Speaker of the House shall jointly select a chair of the task  
42 force from among the 13 members.

**3. Appointment deadline; first meeting.** Task force members  
44 must be appointed within 48 hours of the effective date of this  
Part. The first meeting of the task force must be called by the  
46 chair within 16 days after the effective date of this Part.

48 **4. Expenses.** Members of the task force may not receive any  
50 compensation or reimbursement for expenses. The Legislative  
Council shall absorb the costs of the legislative members of the  
52 task force within existing resources.

2           **5. Staff.** Upon request of the task force, the Legislative  
3 Council, the Administrative Office of the Courts, the Bureau of  
4 the Budget and the State Planning Office and other bureaus within  
5 the Department of Administrative and Financial Services shall  
6 provide assistance and staff to the task force, within existing  
7 resources.

8           **Sec. D-3. Task force authorization.**

10           **1. Scope of study.** The task force shall consider all  
11 reasonable productivity improvements throughout State Government,  
12 including, but not limited to:

14           A. Position reductions through attrition to the extent  
15 feasible;

16           B. Administration;

18           C. Changes in supervisory and management roles and  
19 responsibilities including span of control;

22           D. Redundant tasks and functions;

24           E. Position enlargements and restructuring;

26           F. Use of technology;

28           G. Changes in agency and program missions and objectives  
29 and the relevance of programs to enabling legislation;

32           H. Program restructuring; and

34           I. Alternative systems of service delivery including the  
35 potential, when applicable, for privatization.

36           Within the scope of its work, the task force shall utilize  
37 all concepts, approaches and methodologies accepted by State  
38 Government for the implementation of strategic performance  
39 budgeting and receive and consider the recommendations of any  
40 task force or commission authorized by law to guide and implement  
41 performance-based budgeting in State Government.

42           **2. Recommendations to Executive and Legislature.** The task  
43 force shall recommend that the Governor reduce, eliminate or  
44 otherwise alter current state programs and operations in order to  
45 achieve the deappropriations to be authorized in fiscal year  
46 1995-96 and fiscal year 1996-97. The task force is authorized to  
47 recommend that the Legislature eliminate positions in State  
48 Government or reduce, eliminate or otherwise alter state programs  
49 and operations in order to make permanent the Governor's  
50

2 implementation of task force recommendations pursuant to  
authorized deappropriation levels during the prior fiscal year,  
4 or to implement other task force recommendations.

6 **3. Reports.** The task force shall report its findings,  
recommendations and accomplishments to the Governor, to the Joint  
8 Standing Committee on Appropriations and Financial Affairs and  
the Joint Standing Committee on State and Local Government no  
10 later than December 31st of each fiscal year. The task force  
report must be submitted to the Governor for review and comment  
12 prior to submission to the legislative committees. The Governor  
shall prepare and submit legislation necessary to implement any  
14 accepted findings and recommendations of the task force. The  
task force also shall provide a monthly report to the Governor,  
16 the Joint Standing Committee of Appropriations and Financial  
Affairs and the Joint Standing Committee on State and Local  
18 Government recommending position reductions with cost-saving  
estimates for each fiscal year of the biennium by position and  
20 department, and recommend measures to reduce, eliminate or  
otherwise alter state programs and operations in order to meet  
22 the deappropriation to be authorized in fiscal year 1995-96 and  
fiscal year 1996-97.

24 **Sec. D-4. Implementation of task force recommendations by  
Governor.** The Governor shall review the recommendations of the  
26 task force as presented throughout the fiscal year. Nothing in  
this Part may be construed to constrain the Governor's authority  
28 to exercise the powers granted by the Constitution of Maine or  
statutes to execute the laws of the State.

30 Any recommendation of the task force that requires a change  
32 to the Maine Revised Statutes, a Public Law or a Private and  
Special Law enacted by the Legislature, except as expressly  
34 authorized by section 5 of this Part, and that the Governor seeks  
to implement requires the following.

36 1. The Governor shall immediately notify the Legislature of  
38 the specific recommendation or recommendations that require  
legislation to implement; the departments, programs and positions  
40 to be affected; and the projected savings and deappropriations  
required in fiscal year 1995-96 and fiscal year 1996-97.

42 2. The Governor shall convene the Legislature into special  
44 session to address legislation to implement the specific  
recommendation or recommendations identified by the Governor in  
46 subsection 1. Should the Legislature be in regular session, the  
Governor shall immediately submit legislation to implement the  
48 specific recommendation or recommendations identified by the  
Governor in subsection 1.

50



2 3. Once convened, the Legislature has 3 calendar days to  
3 enact legislation that achieves the same amount of projected  
4 savings and deappropriations in fiscal year 1995-96 and fiscal  
5 year 1996-97 as those identified by the Governor in subsection  
6 1. Those savings and deappropriations may not be achieved by  
7 increasing revenue. If the Legislature fails to enact  
8 legislation that achieves the same amount of projected savings or  
9 deappropriations in fiscal year 1995-96 and fiscal year 1996-97  
10 as those identified by the Governor in subsection 1,  
11 notwithstanding any other provision of law, the Governor may  
12 implement the specific recommendation or recommendations  
13 identified in subsection 1 in order to achieve the projected  
14 savings or deappropriations in fiscal year 1995-96 and fiscal  
15 year 1996-97.

16 4. Notwithstanding the Maine Revised Statutes, Title 3,  
17 section 2, 6th paragraph, the members of the Senate and House of  
18 Representatives must each be compensated \$55 for every day's  
19 attendance, expenses and mileage pursuant to Title 3, section 2,  
20 10th paragraph.

22 **Sec. D-5. Appropriation and position transfers.** Notwithstanding  
23 any other provision of law, the Governor is authorized by  
24 financial order to transfer positions authorized by the  
25 Legislature between General Fund accounts and between departments  
26 and to transfer General Fund appropriations between line  
27 categories, accounts and departments in order to achieve the  
28 deappropriations to be authorized in fiscal year 1995-96 and  
29 fiscal year 1996-97 and to achieve the most effective and  
30 efficient utilization and elimination of vacant positions in  
31 accordance with recommendations of the Productivity Realization  
32 Task Force. When the Governor determines that the transfer of a  
33 position is necessary, any incumbent in the transferred position  
34 at the time of transfer must be transferred along with the  
35 position.

36 **Sec. D-6. Appropriation.** The following funds are appropriated  
37 from the General Fund to carry out the purposes of this Part.

40 **1994-95**

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

44 **Productivity Realization Task**  
45 **Force**

46 All Other \$250,000  
48

2 Provides for the necessary expenses,  
including consulting fees, of the  
4 Productivity Realization Task Force.

6 **LEGISLATURE**

8 **Legislature**

10 All Other (\$250,000)  
12 Provides for the deappropriation of funds  
from available balances.

14 **TOTAL APPROPRIATIONS** \$-0-

16 **Sec. D-7. Repeal.** This Part is repealed June 30, 1997.

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

22 **FISCAL NOTE**

24 **APPROPRIATIONS AND ALLOCATIONS**

	<b>1994-95</b>
26	
28 General Fund Appropriations	
30 PART A, Section A-1	\$6,391,784
PART B, Section B-4	\$0
32 PART D, Section D-6	\$0
34 GENERAL FUND, TOTAL	<u>\$6,391,784</u>
36	
38 Highway Fund Allocations	
PART A, Section A-2	\$0
40 PART B, Section B-6	\$4,500,000
42 HIGHWAY FUND, TOTAL	<u>\$4,500,000</u>
44	
46 Federal Expenditure Fund	
PART A, Section A-3	\$1,190,000
48 FEDERAL EXPENDITURE FUND, TOTAL	<u>\$1,190,000</u>
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PART A

Part A makes appropriations and allocations of funds.

PART B

Part B does the following:

1. Repeals the adjustment in payroll cycles authorized in Public Law 1993, c. 410, Pt. EEE, sections 1 and 2;
2. Appropriates funds from the Maine Rainy Day Fund to meet the last payroll needs for fiscal year 1994-95; and
3. Allocates funds to the Highway Fund to meet the last payroll needs for fiscal year 1994-95.

PART C

Part C does the following:

1. Amends Public Law 1995, chapter 5, Part G, section 2, increasing the amount lapsing to the General fund from General Purpose Aid for Local Schools in fiscal year 1994-95 by \$300,000;
2. Authorizes the General Fund Public Improvements - Planning Construction account to carry until June 30, 1996;
3. Lapses funds to the General Fund on June 30, 1995;
4. Authorizes that the April 1995 revenue reprojection does not increase the appropriation to the Maine Rainy Day Fund;
5. Authorizes that the April 1995 revenue reprojection does not increase the appropriation to the Property Tax Relief Fund;
6. Transfers funds to the General Fund Undedicated Revenues on or before June 30, 1995;
7. Transfers funds to the General Fund Undedicated Revenues on or before June 30, 1995; and
8. Authorizes the Department of Defense and Veterans' Services to return the \$165,000 working capital advance authorized by Public Law 1983, chapter 477, Part E, subpart 12, to the General Fund on or before June 30, 1995.

PART D

2

Part D establishes the Productivity Realization Task Force.