

MAINE STATE LEGISLATURE

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117th MAINE LEGISLATURE

SECOND REGULAR SESSION-1996

Legislative Document

No. 1652

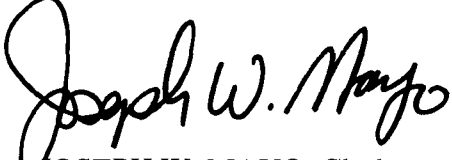
H.P. 1202

House of Representatives, January 8, 1996

**An Act to Modify the Transfer Procedures for Appropriations,
Allocations and Positions.**

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 24.

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


JOSEPH W. MAYO, Clerk

Presented by Representative SIMONEAU of Thomaston.

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

2
4 **Sec. 1. 5 MRS §1585, sub-§1**, as amended by PL 1991, c. 9, Pt. E, §6, is repealed and the following enacted in its place:

6 1. Transfer procedures. The balance of an appropriation or
8 allocation made by the Legislature for any department or agency
10 of the State, which at the time may not be required for the
12 purpose named in those appropriations or allocations, may be
14 transferred between line categories, accounts and departments
16 within the same fund in the department or agency for the same
18 fiscal year subject to review by the joint standing committee of
20 the Legislature having jurisdiction over appropriations and
22 financial affairs. Any position authorized by the Legislature
24 for a department or agency, which at the time may not be required
26 for the purpose authorized by the Legislature, may be transferred
28 between accounts, departments and funds, subject to the
30 limitations of this subsection and section 1583-A, for the same
32 fiscal year subject to review by the joint standing committee of
34 the Legislature having jurisdiction over appropriations and
36 financial affairs. Those appropriation, allocation or position
38 transfers must be authorized by the Governor on financial order
40 to achieve one or more of the following standards:

26 A. To improve the effectiveness with which appropriations
28 or allocations available are spent within a fiscal year;

28 B. To reduce the ratio of the management, administrative,
30 clerical and supervisory personnel of a department or agency
32 to the nonsupervisory personnel;

32 C. To consolidate or restructure redundant State Government
34 services, programs and operations, when possible;

34 D. To integrate the effective use of technology into
36 departments, agencies, programs and operations of the State;
38 or

38 E. To achieve the most effective delivery of services to
40 citizens of the State.

42 Financial orders describing these transfers must be submitted by
44 the Bureau of the Budget to the Office of Fiscal and Program
46 Review 30 days before the transfer is to be implemented. In the
48 case of extraordinary emergency transfers, the 30-day prior
50 submission requirement may be waived by vote of the committee.
Positions or funding for those positions, which are currently
funded with federal or other funds, may not be transferred by
financial order to the General Fund.

2 Department and agency heads are authorized to transfer up to
3 \$1,000 of All Other or Capital Expenditures appropriations or
4 allocations to a line category or account within the same fund in
5 the department or agency by notifying the State Budget Officer
6 within 5 days of the action by means of a signed financial
7 order. The State Budget Officer is authorized to transfer up to
8 \$10,000 of All Other or Capital Expenditures appropriations or
9 allocations to a line category or account within the same fund in
10 the department or agency upon the receipt of a signed financial
11 order from the department or agency head. Department and agency
12 heads may not intentionally split appropriation or allocation
13 transfers in order to be within the authorization limits of
14 \$1,000 or \$10,000. Financial orders authorizing transfers of up
15 to \$10,000 of All Other or Capital Expenditures appropriations or
16 allocations among line categories or accounts within the same
17 fund and department or agency are not subject to the 30-day prior
18 approval requirement. Approved financial orders authorizing the
19 transfer of up to \$10,000 of All Other or Capital Expenditures
20 appropriations or allocations to a line category or account
21 within the same fund in a department or agency must be submitted
22 to the joint standing committee of the Legislature having
23 jurisdiction over appropriations and financial affairs.

24 **Sec. 2. PL 1995, c. 368, Pt. A, §§3 and 6 are repealed.**

26

27 **STATEMENT OF FACT**

28

29 The bill changes the requirement of financial order approval
30 for transfers of appropriations or allocations in amounts that do
31 not represent a material threat to the financial integrity of
32 State Government and in the inefficient use of financial
33 resources. These proposals also recognize the need in State
34 Government to allow the transfer of appropriations and
35 allocations between line categories, accounts and departments
36 within the same fund and to transfer positions between accounts
37 and departments in order to take advantage of immediate
38 opportunities for streamlining and improving State Government
services.