

# MAINE STATE LEGISLATURE

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# 119th MAINE LEGISLATURE

## FIRST REGULAR SESSION-1999

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Legislative Document

No. 1617

S.P. 555

In Senate, March 2, 1999

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### **An Act to Improve Accountability in the Budget Process.**

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

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

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator LONGLEY of Waldo.  
Cosponsored by Representatives: O'BRIEN of Augusta, POWERS of Rockport.

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

4 **Sec. 1. 5 MRSA §1585, sub-§1**, as amended by PL 1991, c. 9, Pt. E, §6, is further amended to read:

6 **1. Transfer procedures.** Any Except as provided in section  
8 1585-A, a balance of any appropriation or subdivision of an  
10 appropriation made by the Legislature for any state department or  
12 agency, which at any time may not be required for the purpose  
14 named in such appropriations or subdivision, may be transferred  
16 at any time prior to the closing of the books to any other  
18 appropriation or subdivision of an appropriation made by the  
20 Legislature for the use of the same department or agency for the  
22 same fiscal year subject to review by the joint standing  
24 committee of the Legislature having jurisdiction over  
26 appropriations and financial affairs. Financial orders describing  
28 such transfers must be submitted by the Bureau of the Budget to  
30 the Office of Fiscal and Program Review 30 days before the  
32 transfer is to be implemented. In case of extraordinary emergency  
34 transfers, the 30-day prior submission requirement may be waived  
36 by vote of the committee. Positions, or funding for those  
38 positions, that are currently funded with federal or other funds  
40 may not be transferred by financial order to the General Fund.

42 **Sec. 2. 5 MRSA §1585-A** is enacted to read:

44 **§1585-A. Children's programs**

46 **1. Children's programs.** Funds appropriated, allocated or  
48 transferred by the Legislature to children's programs may not be  
50 transferred by financial order to any other program unless  
specifically authorized by the Legislature. Unexpended balances  
in any children's programs may not lapse but must be carried  
forward.

**2. Definition.** As used in this section, unless the context  
otherwise indicates, "children's programs" includes, but is not  
limited to, the following programs, or their successors, to which  
the Legislature appropriates, allocates or transfers resources:

A. Aid to Charitable Institutions program;

B. Child Care Services program;

C. Foster Care program;

D. Temporary Assistance for Needy Families program;

E. Child Welfare Services program;

- 2           F. Bureau of Child and Family Services - Central program;  
4           G. Bureau of Child and Family Services - Regional program;  
6           H. Maternal and Child Health program;  
8           I. Child Care Food program;  
10          J. Family Services program;  
12          K. Head Start program;  
14          L. Maine Children's Trust Fund - Child and Family Services  
program;  
16          M. Maine Children's Trust Incorporated program;  
18          N. Elizabeth Levinson Center program;  
20          O. Mental Health Services - Children program;  
22          P. Mental Health Services - Child Medicaid program;  
24          Q. Community Development - Children program;  
26          R. Governor Baxter School for the Deaf program;  
28          S. Special Education - Exceptional Children program;  
30          T. General Purpose Aid for Local Schools program;  
32          U. Preschool Handicapped program;  
34          V. Jobs for Maine's Graduates program;  
36          W. Magnet Schools program; and  
38          X. Maine Youth Center program.

40          **Sec. 3. Separate appropriations and allocations for children's**  
42          **programs; report.** The State Budget Officer, working with the  
44          departments and agencies of State Government, shall present a  
46          report to the Joint Standing Committee on Appropriations and  
48          Financial Affairs that identifies all resources within State  
50          Government appropriated, allocated or otherwise available  
                primarily for children's programs in the 2000-2001 biennium. The  
                report must identify the program in which the funds reside, a  
                statement about the primary purpose of the program and the  
                amounts available in fiscal year 1999-00 and fiscal year  
                2000-01.           The       report       must       be       submitted       to

2 the Second Regular Session of the 119th Legislature no later than  
January 7, 2000.

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### SUMMARY

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8 This bill prohibits the transfer of any available balance  
from a "children's program" for any other purpose without the  
specific authorization of the Legislature. The bill defines some  
10 of the existing programs that fall under this prohibition.

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The bill also requires the State Budget Officer to submit a  
report to the Joint Standing Committee on Appropriations and  
14 Financial Affairs by January 7, 2000 that identifies all  
resources within State Government used primarily for children's  
16 programs, a statement about the purpose of the programs and the  
amounts available in each fiscal year of the next biennium.

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