

MAINE STATE LEGISLATURE

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120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 1233

H.P. 919

House of Representatives, February 28, 2001

An Act to Make Improvements in the Budget Process.

Submitted by the Department of Administrative and Financial Services pursuant to Joint Rule 204.

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

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BRANNIGAN of Portland.
Cosponsored by Senator GOLDTHWAIT of Hancock and
Representatives: BERRY of Livermore, WINSOR of Norway.

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

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4 **Sec. 1. 5 MRSA §1667, first ¶**, as amended by PL 1981, c. 316,
Pt. I and amended by PL 1995, c. 560, Pt. K, §82 and affected by
6 §83, is further amended to read:

8 Not later than June 1st of each year, the Governor shall
require the head of each department and agency of the State
10 Government to submit to the Bureau of the Budget a work program
for the ensuing fiscal year. Such work program shall include all
12 appropriations, revenues, transfers and other funds, made
available to said department or agency for its operation and
14 maintenance and for the acquisition of property, and it shall
show the requested allotments of said sums by quarters for the
16 entire fiscal year, classified to show allotments requested for
specific amounts for personal services, capital expenditures and
18 amounts for all other departmental expenses. The Department of
Mental Health, Mental Retardation and Substance Abuse Services
20 shall further break down its budget to include institutional food
expenditures. Funds not expended for this budget item shall may
22 not be transferred between line categories. The Governor, with
the assistance of the State Budget Officer, shall review the
24 requested allotments with respect to the work program of each
department or agency and shall, if ~~he~~ deems the Governor
determines it necessary, revise, alter or change such allotments
26 before approving the same. The Governor may authorize the State
Budget Officer to approve quarterly allotments not to exceed \$500
28 \$45,000 in any account. The aggregate of such allotments shall
may not exceed the total sums made available to said department
30 or agency for the fiscal year in question. The State Budget
Officer shall transmit a copy of the allotments as approved by
32 the Governor to the head of the department or agency concerned
and also a copy to the State Controller. The State Controller
34 shall thereupon authorize all expenditures to be made from the
sums available on the basis of such allotments and not otherwise.

36 **Sec. 2. 5 MRSA §1669**, as amended by PL 1989, c. 7, Pt. O, §2,
38 is further amended to read:

40 **§1669. Federal funds**

42 No A state department or agency may not make expenditures of
any federal funds or expenditures in anticipation of receipt of
44 federal funds for any new or expanded programs in the Federal
Expenditures Fund or federal block grant funds, unless such
46 federal funds are approved by the Legislature. The ~~Governor may~~
~~authorize the expenditure of such federal funds~~ may be authorized
48 for a period not to exceed 12 calendar months ~~and shall notify~~
~~the Office of Fiscal and Program Review of such action~~ in
50 accordance with sections 1585 and 1667.

2 All departments and agencies that receive federal funds from
3 the Federal Expenditures Fund or federal block grant funds shall,
4 within 10 working days of receipt of any official notification
5 from the Federal Government concerning the potential or actual
6 increase or reduction in present funding, submit a copy of that
7 notification to the Director of the Legislative Office of Fiscal
8 and Program Review. In addition, departments and agencies shall,
9 within 25 working days of that notification, submit in writing to
10 the Director of the Legislative Office of Fiscal and Program
11 Review their proposed plan of action to address the notification
12 which that may include an appeal or an outline of the options
13 that will be examined in detail and a time frame for the
14 examination.

16 **Sec. 3. 5 MRSA §1669-A**, as enacted by PL 1995, c. 707, Pt. C,
17 §1 and affected by §2, is repealed.

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SUMMARY

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23 This bill amends current law to allow federal block grant
24 funds to be used in the same manner as the Federal Expenditures
25 Fund for consistency purposes. The bill changes the dollar
26 threshold below which the Governor may delegate to the State
27 Budget Officer authority to adjust allotments by financial order
28 for a department or agency account. The proposed threshold
29 amount recognizes that allotment adjustments of \$45,000 or less
30 are typically of a routine nature and do not have significant
31 policy implications. This change does not preclude the State
32 Budget Officer from bringing a financial order to the Governor
33 for the Governor's approval if, in the judgment of the State
34 Budget Officer, the impact of the proposed change is significant
enough to require gubernatorial review and approval.