

MAINE STATE LEGISLATURE

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Ms.

L.D. 2173

Date: 3-27-08

(Filing No. H-840)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "P" to COMMITTEE AMENDMENT "A" to H.P. 1547,
L.D. 2173, Bill, "An Act To Make Supplemental Appropriations and Allocations for the
Expenditures of State Government and To Change Certain Provisions of the Law
Necessary to the Proper Operations of State Government for the Fiscal Years Ending
June 30, 2008 and June 30, 2009"

Amend the amendment by striking out all of the emergency preamble.

Amend the amendment in Part A in section 1 on page 6 in the last initiative in the last
line (page 6, line 33 in amendment) by striking out the following: "April 1, 2008" and
inserting the following: 'pursuant to financial order'

Amend the amendment in Part A in section 1 on page 14 in the first initiative in the
3rd line (page 14, line 6 in amendment) by striking out the following: "will not take
effect until" and inserting the following: 'applies on and after'

Amend the amendment in Part A in section 28 on page 141 in the 2nd initiative in the
5th line (page 141, line 14 in amendment) by striking out the following: "June 1, 2008"
and inserting the following: 'June 30, 2008'

Amend the amendment in Part A in section 37 on page 179 in the last initiative in the
last line (page 179, line 30 in amendment) by striking out the following: "April 1, 2008"
and inserting the following: 'pursuant to financial order'

Amend the amendment in Part F in section 2 in the first paragraph in the last line
(page 264, line 21 in amendment) by striking out the following: "May 1, 2008" and
inserting the following: 'July 1, 2008'

Amend the amendment in Part N in section 75 in subsection 1 in the first line (page
291, line 29 in amendment) by striking out the following: "must begin by June 1, 2008
and"

Amend the amendment in Part XX by striking out all of sections 3 to 6.

Amend the amendment in Part GGG by striking out all of section 3 (page 341, lines 6
to 14 in amendment) and inserting the following:

1 **'Sec. GGG-3. Report.** The entity selected to conduct the evaluation, known as
2 the contractor, shall complete and present a final report with findings and
3 recommendations to the joint standing committee of the Legislature having jurisdiction
4 over business, research and economic development matters; the joint standing committee
5 of the Legislature having jurisdiction over taxation matters; and the joint standing
6 committee of the Legislature having jurisdiction over appropriations and financial affairs
7 no later than February 1, 2009.'

8 Amend the amendment in Part JJJ in section 2 in the initiative in the 5th line (page
9 343, line 2 in amendment) by striking out the following: "June 1, 2008" and inserting the
10 following: 'June 30, 2008'

11 Amend the amendment by striking out all of Part LLLL and inserting the following:

12 **'PART LLLL**

13 **Sec. LLLL-1. Governmental oversight; recommendations; report.** The
14 Director of the Office of Program Evaluation and Government Accountability, referred to
15 in this section as "OPEGA," in conjunction with the directors of the Office of Fiscal and
16 Program Review and the Office of Policy and Legal Analysis and the State Auditor shall
17 make recommendations by October 1, 2008 to the Joint Standing Committee on State and
18 Local Government and the Government Oversight Committee regarding:

19 1. Changes to operating procedures of OPEGA and relevant offices and agencies,
20 including the Office of Fiscal and Program Review, the Office of Policy and Legal
21 Analysis, the State Controller and the State Auditor, that will facilitate the sharing of
22 resources and coordination of program review across State Government in order to
23 maintain and strengthen program evaluation function; and

24 2. Recommended performance standards to measure the effectiveness of OPEGA in
25 carrying out its mission to improve the effectiveness, efficiency and economic use of
26 resources of State Government.

27 The joint standing committee of the Legislature having jurisdiction over state and
28 local government matters and the Government Oversight Committee shall jointly report
29 by January 15, 2009 to the joint standing committee of the Legislature having jurisdiction
30 over appropriations and financial affairs and the Legislative Council concerning any
31 recommended changes to the Legislature's government oversight functions, including the
32 structure and resources dedicated to those oversight functions, and performance measures
33 to assess the effectiveness of those oversight functions.

34 The joint standing committee of the Legislature having jurisdiction over state and
35 local government matters may report out a bill no later than February 1, 2009 to
36 implement the recommendations.

37 **Sec. LLLL-2. Legislative account; lapsed balances; Office of Program**
38 **Evaluation and Government Accountability - General Fund.** Notwithstanding
39 any other provision of law, \$16,517 of unencumbered balance forward in the Personal
40 Services line category and \$300,964 in the unencumbered balance forward in the All
41 Other line category in the Office of Program Evaluation and Government Accountability

2008

1 General Fund account in the Legislature lapses to the General Fund in fiscal year 2008-
2 09.

3 **Sec. LLLL-3. Appropriations and allocations.** The following appropriations
4 and allocations are made.

5 **PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY,**
6 **OFFICE OF**

7 **Office of Program Evaluation and Government Accountability 0976**

8 Initiative: Deappropriates funds as a result of the elimination of a Principal
9 Analyst/Attorney position, a Senior Analyst/Attorney position and an Analyst/Attorney
10 position.

11	GENERAL FUND	2007-08	2008-09
12	POSITIONS - LEGISLATIVE COUNT	0.000	(3.000)
13	Personal Services	\$0	(\$303,773)
14			
15	GENERAL FUND TOTAL	<hr/> \$0	<hr/> (\$303,773)
16	,		

17 Amend the amendment by inserting after Part MMMM the following:

18 **PART NNNN**

19 **Sec. NNNN-1. Monthly implementation report.** Until June 30, 2009, the
20 Commissioner of Health and Human Services shall report monthly to the joint standing
21 committee of the Legislature having jurisdiction over appropriations and financial affairs
22 and the joint standing committee of the Legislature having jurisdiction over human
23 services matters on the status of implementing provisions in Part A, section 27 affecting
24 individuals with mental retardation and developmental disabilities.

25 **PART OOOO**

26 **Sec. OOOO-1. Appropriations and allocations.** The following appropriations
27 and allocations are made.

28 **CONSERVATION, DEPARTMENT OF**

29 **Parks - General Operations 0221**

30 Initiative: Establishes one Management Analyst I position to maintain costs within
31 available resources. The cost of this position is offset by the elimination of one Public
32 Service Coordinator I position in the Land Use Regulation Commission program.

33	GENERAL FUND	2007-08	2008-09
34	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
35	Personal Services	\$0	\$61,045

HOUSE AMENDMENT "P" to COMMITTEE AMENDMENT "A" to H.P. 1547, L.D. 2173

1			
2	GENERAL FUND TOTAL	\$0	\$61,045
3	CONSERVATION, DEPARTMENT OF		
4	DEPARTMENT TOTALS	2007-08	2008-09
5			
6	GENERAL FUND	\$0	\$61,045
7			
8	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$61,045
9	DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT		
10	OF		
11	Administration - Defense, Veterans and Emergency Management 0109		
12	Initiative: Restores \$5,000 in funding for the civil air patrol program.		
13	GENERAL FUND	2007-08	2008-09
14	All Other	\$0	\$5,000
15			
16	GENERAL FUND TOTAL	\$0	\$5,000
17	DEFENSE, VETERANS AND EMERGENCY		
18	MANAGEMENT, DEPARTMENT OF		
19	DEPARTMENT TOTALS	2007-08	2008-09
20			
21	GENERAL FUND	\$0	\$5,000
22			
23	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$5,000
24	JUDICIAL DEPARTMENT		
25	Courts - Supreme, Superior, District and Administrative 0063		
26	Initiative: Adjusts funding between fiscal years to provide additional funding in fiscal		
27	year 2007-08 for indigent defense costs.		
28	GENERAL FUND	2007-08	2008-09
29	All Other	\$450,000	(\$450,000)
30			
31	GENERAL FUND TOTAL	\$450,000	(\$450,000)

1	JUDICIAL DEPARTMENT		
2	DEPARTMENT TOTALS	2007-08	2008-09
3			
4	GENERAL FUND	\$450,000	(\$450,000)
5			
6	DEPARTMENT TOTAL - ALL FUNDS	\$450,000	(\$450,000)
7	SECTION TOTALS	2007-08	2008-09
8			
9	GENERAL FUND	\$450,000	(\$383,955)
10			
11	SECTION TOTAL - ALL FUNDS	\$450,000	(\$383,955)

13 Amend the amendment by relettering or renumbering any nonconsecutive Part letter
14 or section number to read consecutively.

15 Amend the amendment by striking out all of the emergency clause.

16 SUMMARY

17 This amendment removes the emergency preamble and emergency clause and adjusts
18 dates as needed.

19 The amendment removes sections from Part XX that would have made TANF
20 recipients ineligible for both nonemergency and emergency general assistance.

21 The amendment eliminates the requirement in Part GGG that the contractor
22 evaluating economic development programs and tax incentives submit a preliminary
23 report and changes the date of the final report to February 1, 2009.

24 This amendment preserves the current structure of the Office of Program Evaluation
25 and Government Accountability and the current legislative oversight of that office, but
26 reduces the staff by 3 positions, leaving 4 positions and some funding for contracted
27 services in place. The amendment directs the Director of the Office of Program
28 Evaluation and Government Accountability to work with the joint standing committee of
29 the Legislature having jurisdiction over state and local government matters and the
30 Government Oversight Committee to develop performance standards applicable to the
31 Office of Program Evaluation and Government Accountability and to identify ways to
32 collaborate with other offices and departments, including legislative offices, the State
33 Controller and the State Auditor, to improve the effectiveness and efficiency of its
34 oversight role. The legislative committees must review these recommendations and
35 report to the Legislature on recommended changes to the operation of the Office of
36 Program Evaluation and Government Accountability and the structure of legislative
37 oversight of State Government.

HOUSE AMENDMENT "P" to COMMITTEE AMENDMENT "A" to H.P. 1547, L.D. 2173

1 The amendment adds Part NNNN, which requires the Commissioner of Health and
2 Human Services to make monthly reports to the Legislature concerning implementing
3 provisions affecting individuals with mental retardation and developmental disabilities.

4 The amendment adds Part OOOO, which includes offsets to deappropriations made
5 in Part A to the Department of Conservation for a Management Analyst I position, to the
6 Department of Defense, Veterans and Emergency Management for the civil air patrol
7 program and to the Judicial Department for indigent defense costs.

8 **FISCAL NOTE REQUIRED**

9 (See attached)

10 SPONSORED BY: 

11 (Representative FISCHER)

12 TOWN: Presque Isle

**123rd MAINE LEGISLATURE****LD 2173****LR 3445(04)**

An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009

Fiscal Note for House Amendment "P" to Committee Amendment "A"

Sponsor: Rep. Fischer of Presque Isle

Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$450,000	\$182,658	\$142,899	\$153,456
Appropriations/Allocations				
General Fund	\$450,000	\$132,658	\$142,899	\$153,456
Transfers				
General Fund	\$0	(\$50,000)	\$0	\$0

Fiscal Detail and Notes

This amendment will increase the General Fund cost of the bill by \$450,000 in fiscal year 2007-08 and \$182,658 in fiscal year 2008-09. Based on the estimated year-end balances, this amendment maintains a balanced budget for the 2008-2009 biennium.