

MAINE STATE LEGISLATURE

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Date: *3-27-08*

(Filing No. H-842)

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

HOUSE AMENDMENT "*R*" 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 Part LLLL.

Amend the amendment by inserting after Part MMMM the following:

PART NNNN

Sec. NNNN-1. Unpaid day off; calculation and transfer; statewide reduction of expenditures in fiscal year 2008-09. All nonessential service employees are subject to one temporary layoff day, without pay, to be taken on August 29, 2008. All essential service employees are required to take one temporary layoff day without pay; this day must be different than the temporary layoff day imposed on nonessential service employees and must be by agreement with the essential service employees' supervisors. For the purposes of this Part, a "nonessential service employee" and an "essential service employee" are determined according to section 2. The State Budget Officer shall transfer by financial order upon the approval of the Governor the amount of savings that applies to each account for departments and agencies of State Government as a result of this temporary layoff day. These transfers are considered adjustments to appropriations in fiscal year 2008-09.

Sec. NNNN-2. State Government closure; determination of essential service employees. Pursuant to section 1, all state departments, agencies and offices must be closed on August 29, 2008 except for essential programs and federally funded services. An employee that is not employed in an essential program or federally funded service is deemed to be a nonessential service employee. Essential programs and federally funded services are determined by:

1. The Commissioner of Administrative and Financial Services except as provided in subsection 2; and

HOUSE AMENDMENT

2. The chief administrative officers of the legislative and judicial branches. The chief administrative officers of the legislative and judicial branches shall notify the Commissioner of Administrative and Financial Services of their determinations regarding essential programs, federally funded services and essential and nonessential service employees.

Any nonessential service employee who is not required to work because those departments, agencies and offices are closed on that day must take the day off without pay, but is entitled to receive an additional day of compensation at the time that the employee leaves state service. The additional day must be at the employee's rate of pay at the time the day off is taken or the rate at the time the employee leaves, whichever is higher.

Any essential service employee who works on August 29, 2008 is entitled to receive, in lieu of pay, compensating time off for such hours worked, and an additional day of compensation at the time the employee leaves state service. The additional day must be at the employee's rate of pay at the time the day off is taken or the rate at the time the employee leaves, whichever is higher.

Any fully federally funded employee approved to work is entitled to receive the employee's regular compensation for such time worked.

Sec. NNNN-3. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Deappropriates funds as a result of requiring state employees to take one temporary layoff day without pay.

| | | |
|---------------------------|----------------|--------------------|
| GENERAL FUND | 2007-08 | 2008-09 |
| Personal Services | \$0 | (\$915,000) |
| | <hr/> | <hr/> |
| GENERAL FUND TOTAL | \$0 | (\$915,000) |

PART OOOO

Sec. OOOO-1. Legislative account; lapsed balances; Office of Program Evaluation and Government Accountability - General Fund. Notwithstanding any other provision of law, \$16,517 of unencumbered balance forward in the Personal Services line category and \$350,964 in the unencumbered balance forward in the All Other line category in the Office of Program Evaluation and Government Accountability General Fund account in the Legislature lapses to the General Fund in fiscal year 2008-09.

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PART PPPP

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Sec. PPPP-1. Transfer to Maine Budget Stabilization Fund.

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Notwithstanding any law to the contrary, by October 1, 2008 the State Controller shall

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transfer \$194,614 to the Maine Budget Stabilization Fund established in the Maine

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Revised Statutes, Title 5, section 1532.

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PART QQQQ

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Sec. QQQQ-1. Appropriations and allocations. The following appropriations and allocations are made.

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PROGRAM EVALUATION AND GOVERNMENT ACCOUNTABILITY, OFFICE OF

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Office of Program Evaluation and Government Accountability 0976

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Initiative: Deappropriates funds no longer needed.

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GENERAL FUND

2007-08

2008-09

14

All Other

\$0

(\$100,000)

15

16

GENERAL FUND TOTAL

\$0

(\$100,000)

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

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SUMMARY

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This amendment restores funding for the Office of Program Evaluation and Government Accountability, but at a reduction of \$100,000 from their fiscal year 2008-09 budget amount. This amendment keeps the lapsing of the unencumbered balance in OPEGA. This amendment requires all state employees to take one temporary layoff day without pay. Finally, this amendment transfers the savings resulting from the temporary layoff day, after the appropriation for OPEGA, to the Maine Budget Stabilization Fund.

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FISCAL NOTE REQUIRED

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(See attached)

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SPONSORED BY: Audrea M. Boland

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(Representative BOLAND)

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TOWN: Sanford



123rd MAINE LEGISLATURE

LD 2173

LR 3445(45)

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 "R" to Committee Amendment "A"

Sponsor: Rep. Boland of Sanford

Fiscal Note Required: Yes

Fiscal Note

| | 2007-08 | 2008-09 | Projections 2009-10 | Projections 2010-11 |
|-----------------------------------|---------|-------------|------------------------|------------------------|
| Net Cost (Savings) | | | | |
| General Fund | \$0 | \$0 | \$738,103 | \$756,367 |
| Appropriations/Allocations | | | | |
| General Fund | \$0 | (\$194,614) | \$738,103 | \$756,367 |
| Transfers | | | | |
| General Fund | \$0 | (\$194,614) | \$0 | \$0 |

Fiscal Detail and Notes

This amendment will have no net effect on General Fund appropriations and revenue and a balanced budget is maintained for the 2008-2009 biennium.