

MAINE STATE LEGISLATURE

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L.D. 1372

Date: 4/11/11

(Filing No. H-84)

APPROPRIATIONS AND FINANCIAL AFFAIRS

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
125TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 1011, L.D. 1372, Bill, "An Act To Make Additional Supplemental Appropriations and Allocations for the Fiscal Year Ending June 30, 2011"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting the following:

'PART A

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Mandate BETE - Reimburse Municipalities Z065

Initiative: Reduces funding for a one-time savings in the program.

20	GENERAL FUND	2010-11	2011-12	2012-13
21	All Other	(\$27,500)	\$0	\$0
22				
23	GENERAL FUND TOTAL	<u>(\$27,500)</u>	<u>\$0</u>	<u>\$0</u>

24	ADMINISTRATIVE AND			
25	FINANCIAL SERVICES,			
26	DEPARTMENT OF			
27	DEPARTMENT TOTALS	2010-11	2011-12	2012-13
28				
29	GENERAL FUND	(\$27,500)	\$0	\$0
30		<u> </u>	<u> </u>	<u> </u>

COMMITTEE AMENDMENT

1 **DEPARTMENT TOTAL - ALL** (\$27,500) \$0 \$0
 2 **FUNDS**

3 **EDUCATION, DEPARTMENT OF**
 4 **Child Development Services 0449**

5 Initiative: Provides funding for services to children from birth to 5 years of age as a result
 6 of MaineCare rule changes effective September 1, 2010.

7	GENERAL FUND	2010-11	2011-12	2012-13
8	All Other	\$1,272,319	\$0	\$0
9				
10	GENERAL FUND TOTAL	<u>\$1,272,319</u>	<u>\$0</u>	<u>\$0</u>

11	EDUCATION, DEPARTMENT OF			
12	DEPARTMENT TOTALS	2010-11	2011-12	2012-13
13				
14	GENERAL FUND	\$1,272,319	\$0	\$0
15				
16	DEPARTMENT TOTAL - ALL	<u>\$1,272,319</u>	<u>\$0</u>	<u>\$0</u>
17	FUNDS			

18 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**
 19 **Medical Care - Payments to Providers 0147**

20 Initiative: Provides funding to restore a deappropriation included in Public Law 2009,
 21 chapter 571 related to the disallowance of federal financial participation for targeted case
 22 management claims in fiscal years 2001-02 and 2002-03.

23	GENERAL FUND	2010-11	2011-12	2012-13
24	All Other	\$29,736,437	\$0	\$0
25				
26	GENERAL FUND TOTAL	<u>\$29,736,437</u>	<u>\$0</u>	<u>\$0</u>

27 **Medical Care - Payments to Providers 0147**

28 Initiative: Provides funding for growth in the MaineCare program.

29	GENERAL FUND	2010-11	2011-12	2012-13
30	All Other	\$6,943,905	\$0	\$0
31				
32	GENERAL FUND TOTAL	<u>\$6,943,905</u>	<u>\$0</u>	<u>\$0</u>

1	HEALTH AND HUMAN			
2	SERVICES, DEPARTMENT OF			
3	(FORMERLY DHS)			
4	DEPARTMENT TOTALS	2010-11	2011-12	2012-13
5				
6	GENERAL FUND	\$36,680,342	\$0	\$0
7				
8	DEPARTMENT TOTAL - ALL	\$36,680,342	\$0	\$0
9	FUNDS			

10 **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**

11 **Maine Commission on Indigent Legal Services Z112**

12 Initiative: Provides funding for representation to indigent persons who are entitled to
 13 counsel.

14	GENERAL FUND	2010-11	2011-12	2012-13
15	All Other	\$550,000	\$0	\$0
16				
17	GENERAL FUND TOTAL	\$550,000	\$0	\$0

18	INDIGENT LEGAL SERVICES,			
19	MAINE COMMISSION ON			
20	DEPARTMENT TOTALS	2010-11	2011-12	2012-13
21				
22	GENERAL FUND	\$550,000	\$0	\$0
23				
24	DEPARTMENT TOTAL - ALL	\$550,000	\$0	\$0
25	FUNDS			

26 **LABOR, DEPARTMENT OF**

27 **Governor's Training Initiative Program 0842**

28 Initiative: Reduces funding for grants used for training services in the Governor's
 29 Training Initiative Program.

30	GENERAL FUND	2010-11	2011-12	2012-13
31	All Other	(\$224,895)	\$0	\$0
32				
33	GENERAL FUND TOTAL	(\$224,895)	\$0	\$0

1	LABOR, DEPARTMENT OF			
2	DEPARTMENT TOTALS	2010-11	2011-12	2012-13
3				
4	GENERAL FUND	(\$224,895)	\$0	\$0
5				
6	DEPARTMENT TOTAL - ALL	(\$224,895)	\$0	\$0
7	FUNDS			

8 **TREASURER OF STATE, OFFICE OF**
 9 **Debt Service - Treasury 0021**

10 Initiative: Reduces funding for debt service costs associated with note interest resulting
 11 from a change in the assumption for the issuance of tax anticipation notes for fiscal year
 12 2010-11.

13	GENERAL FUND	2010-11	2011-12	2012-13
14	All Other	(\$43,750)	\$0	\$0
15				
16	GENERAL FUND TOTAL	(\$43,750)	\$0	\$0

17	TREASURER OF STATE, OFFICE			
18	OF			
19	DEPARTMENT TOTALS	2010-11	2011-12	2012-13
20				
21	GENERAL FUND	(\$43,750)	\$0	\$0
22				
23	DEPARTMENT TOTAL - ALL	(\$43,750)	\$0	\$0
24	FUNDS			

25	SECTION TOTALS	2010-11	2011-12	2012-13
26				
27	GENERAL FUND	\$38,206,516	\$0	\$0
28				
29	SECTION TOTAL - ALL FUNDS	\$38,206,516	\$0	\$0

30 **PART B**

31 **Sec. B-1. Transfer from Federal Expenditures Fund; Department of**
 32 **Health and Human Services; Medical Care Services program.** Notwithstanding
 33 any other provision of law, the State Controller shall transfer \$29,736,437 by June 30,
 34 2011 from the Medical Care Services Federal Expenditures Fund program within the
 35 Department of Health and Human Services to the unappropriated surplus of the General
 36 Fund.

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PART C

Sec. C-1. Carrying balance; Bureau of Medical Services; General Fund account. Notwithstanding any other provision of law, any All Other line category balance in the Department of Health and Human Services, Bureau of Medical Services, General Fund account remaining on June 30, 2011 may not lapse but must be carried forward to June 30, 2012 to be used for the same purposes.

PART D

Sec. D-1. Department of Labor; Governor's Training Initiative Program account; lapsed balances. Notwithstanding any other provision of law, \$490,995 of unencumbered balance forward from the Department of Labor, Governor's Training Initiative Program, General Fund carrying account, All Other line category lapses to the General Fund no later than June 30, 2011.

PART E

Sec. E-1. Transfer; unexpended funds; Department of Administrative and Financial Services; Bangor Campus Office Space account. Notwithstanding any other provision of law, the State Controller shall transfer \$50,000 by June 30, 2011 from the Other Special Revenue Funds, Bangor Campus Office Space account in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund.

PART F

Sec. F-1. Department of Education; Learning Through Technology account; lapsed balances. Notwithstanding any other provision of law, \$1,272,319 of unencumbered balance forward from the Department of Education, Learning Through Technology program, General Fund carrying account, All Other line category lapses to the General Fund no later than June 30, 2011.

PART G

Sec. G-1. Transfer to General Fund; Accident, Sickness and Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$2,500,488 representing the General Fund and Other Special Revenue Funds shares from the Accident, Sickness and Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund no later than June 30, 2011. The State Controller also shall transfer the equitable excess reserves as required by state or federal regulations by June 30, 2011.

PART H

Sec. H-1. Calculation and transfer; General Fund; central services savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in Part A of this Act in the Statewide Central Services account in the Department of Administrative and Financial Services that applies against each General Fund account for departments and agencies statewide as a result of a review of contracting processes. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2010-11.

Sec. H-2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding for savings as a result of a review of contracting processes.

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$2,000,000)	\$0	\$0
GENERAL FUND TOTAL	<u>(\$2,000,000)</u>	<u>\$0</u>	<u>\$0</u>

PART I

Sec. I-1. Transfer from unappropriated surplus at close of fiscal year 2010-11; Maine Budget Stabilization Fund. Notwithstanding any other provision of law, at the close of fiscal year 2010-11, the State Controller shall transfer up to \$25,000,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made and as the first priority after the transfers required pursuant to the Maine Revised Statutes, Title 5, sections 1507 and 1511 and before the transfers required pursuant to Title 5, section 1536.

Sec. I-2. Transfer from unappropriated surplus at close of fiscal year 2010-11; Bureau of Medical Services account. Notwithstanding any other provision of law, at the close of fiscal year 2010-11, the State Controller shall transfer up to \$5,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Bureau of Medical Services account for the operational contract costs of the Maine Integrated Health Management Solution system after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made and as the second priority after the transfers made in section 1 of this Part.

Sec. I-3. Transfer from unappropriated surplus at close of fiscal year 2010-11; Accident, Sickness and Health Insurance Internal Services Fund.

Notwithstanding any other provision of law, at the close of fiscal year 2010-11, the State Controller shall transfer up to \$2,500,488 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Accident, Sickness and Health Insurance Internal Services Fund after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made and as the third priority after the transfers made in sections 1 and 2 of this Part.

Sec. I-4. Transfer considered adjustments to appropriations.

Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, amounts transferred pursuant to section 2 of this Part are considered adjustments to appropriations in fiscal year 2011-12 only. These funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

PART J

Sec. J-1. PL 2009, c. 213, Pt. RRR, §1, sub-§3 is amended to read:

3. From the Department of Audit, Statewide Single Audit - Set Aside, Other Special Revenue Funds account, \$77,723 no later than June 30, 2010 ~~and \$79,928 no later than June 30, 2011;~~

Sec. J-2. Transfer from unappropriated surplus at close of fiscal year 2010-11; Department of Audit, Statewide Single Audit - Set Aside account.

Notwithstanding any other provision of law, the State Controller shall transfer \$77,723 by June 30, 2011 from the unappropriated surplus of the General Fund to the Department of Audit, Statewide Single Audit - Set Aside, Other Special Revenue Funds account.

PART K

Sec. K-1. PL 2011, c. 1, Pt. Q, §1 is amended to read:

Sec. Q-1. Personal Services savings; transfer to General Fund undedicated revenue. Notwithstanding the Maine Revised Statutes, Title 5, section 1582, subsection 4 or any other provision of law, the State Controller is authorized to transfer the first ~~\$3,500,000~~ \$5,646,084 of unexpended Personal Services appropriations that would otherwise lapse to the Salary Plan program in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund at the close of fiscal year 2010-11.

Sec. K-2. PL 2011, c. 1, Pt. Q, §2 is amended to read:

Sec. Q-2. General Fund Salary Plan; transfer to General Fund undedicated revenue. Notwithstanding any other provision of law, the State Controller is authorized to transfer up to ~~\$3,500,000~~ \$5,646,084 from the Salary ~~Fund Plan~~ program in the Department of Administrative and Financial Services to the

1 unappropriated surplus of the General Fund at the close of fiscal year 2010-11 in the
2 event that the total savings in section 1 of this Part are not achieved.

3 **Sec. K-3. General Fund Salary Plan; lapse to General Fund**
4 **unappropriated surplus.** Notwithstanding any other provision of law, the State
5 Controller shall lapse \$908,738 from the General Fund Salary Plan program to the
6 General Fund unappropriated surplus no later than June 30, 2011.

7 **PART L**

8 **Sec. L-1. Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title
9 5, section 1585 or any other provision of law, for fiscal year 2010-11 only, the
10 Commissioner of Education is authorized to identify savings within the existing General
11 Fund programs of the Department of Education and to transfer up to \$3,000,000 in
12 available balances by financial order upon the recommendation of the State Budget
13 Officer and approval of the Governor from the existing General Fund program accounts
14 to the Child Development Services General Fund program account in order to maintain
15 services to students and provide timely payments to therapeutic service providers.

16 **Sec. L-2. Report.** No later than June 14, 2011, the Commissioner of Education
17 shall submit a report to the Joint Standing Committee on Appropriations and Financial
18 Affairs and the Joint Standing Committee on Education and Cultural Affairs on the
19 transfer of funds to offset the Child Development Services General Fund program
20 account shortfall, including the fiscal and programmatic impact of the transfer of funding
21 on the affected Department of Education programs, as well as the status of the Child
22 Development Services System in providing services to eligible children and providing
23 timely payments to therapeutic service providers.

24 **PART M**

25 **Sec. M-1. Transfer of funds; Other Special Revenue Funds accounts;**
26 **departments and agencies statewide.** Notwithstanding any other provision of law,
27 transfers of savings from Other Special Revenue Funds accounts of departments and
28 agencies statewide to the unappropriated surplus of the General Fund required to be made
29 by the State Controller in fiscal year 2010-11 by Public Law 2009, chapter 213, Part RRR
30 and Public Law 2009, chapter 571, Parts SS and TT are reduced by \$1,209,894.

31 **PART N**

32 **Sec. N-1. Transfer; unexpended funds; Department of the Attorney**
33 **General, Other Special Revenue Funds.** Notwithstanding any other provision of
34 law, the State Controller shall transfer \$469,000 in unexpended funds in the Department
35 of the Attorney General, Administration - Attorney General, Other Special Revenue
36 Funds program to the General Fund unappropriated surplus at the close of fiscal year
37 2010-11.

SUMMARY

PART A

This Part makes supplemental appropriations and allocations of funds for fiscal year 2010-11.

PART B

This Part transfers \$29,736,437 from the Medical Care Services Federal Expenditures Fund program within the Department of Health and Human Services to the unappropriated surplus of the General Fund to reverse the action taken in Public Law 2009, chapter 571, Part KKKK.

PART C

This Part provides that any All Other balance in the Department of Health and Human Services, Bureau of Medical Services, General Fund account must be carried forward to June 30, 2012 to be used for the same purposes.

PART D

This Part lapses \$490,995 of the unencumbered balance forward from the Department of Labor, Governor's Training Initiative Program, General Fund account to the General Fund in fiscal year 2010-11.

PART E

This Part authorizes the State Controller to transfer \$50,000 from the Department of Administrative and Financial Services, Other Special Revenue Funds, Bangor Campus Office Space account to the unappropriated surplus of the General Fund in fiscal year 2010-11.

PART F

This Part lapses \$1,272,319 of the unencumbered balance forward of the Department of Education, Learning Through Technology program, General Fund account to the General Fund in fiscal year 2010-11.

PART G

This Part transfers the shares of excess reserves in the Accident, Sickness and Health Insurance Internal Service Fund that is associated with the General Fund and the Other Special Revenue Funds to the unappropriated surplus of the General Fund by June 30, 2011. It also requires the State Controller to transfer the equitable excess reserves as required by state or federal regulations by June 30, 2011.

PART H

1 This Part requires the State Budget Officer to calculate the savings as the result of a
2 review of contracting processes and to transfer the savings by financial order upon the
3 approval of the Governor. The transfers are considered adjustments to appropriations in
4 fiscal year 2010-11.

5 **PART I**

6
7 This Part requires the transfer of up to \$25,000,000 from the unappropriated surplus
8 of the General Fund to the Maine Budget Stabilization Fund at the close of fiscal year
9 2010-11.

10 It also authorizes a second new transfer of up to \$5,000,000 from the unappropriated
11 surplus of the General Fund to the Bureau of Medical Services General Fund account to
12 be used to pay Maine Integrated Health Management Solution system operational
13 contract costs and a third new transfer of up to \$2,500,488 from the unappropriated
14 surplus of the General Fund to the Department of Administrative and Financial Services,
15 Accident, Sickness and Health Insurance Internal Services Fund. Any amounts
16 transferred under the second transfer are to be considered adjustments to appropriations in
17 fiscal year 2011-12 only and may be allotted by financial order.

18 **PART J**

19
20 This Part eliminates the transfer of \$79,928 from the Department of Audit, Statewide
21 Single Audit - Set Aside, Other Special Revenue Funds account to the unappropriated
22 surplus of the General Fund that was required by the end of fiscal year 2010-11. It also
23 requires a transfer of \$77,723 from the unappropriated surplus of the General Fund to the
24 same account to offset a transfer that was made in fiscal year 2009-10.

25 **PART K**

26
27 This Part increases the amount of unexpended Personal Services appropriations that
28 would otherwise lapse to the Salary Plan program to be transferred to the General Fund
29 unappropriated surplus at the close of fiscal year 2010-11. It also increases the amount of
30 funding that may be transferred from the Salary Plan program to the General Fund
31 unappropriated surplus in the event that the full amount of savings is not achieved.

32 It also lapses \$908,738 from the General Fund Salary Plan program to the General
33 Fund unappropriated surplus no later than June 30, 2011.

34 **PART L**

35
36 This Part authorizes the Commissioner of Education to identify savings within the
37 existing General Fund programs of the Department of Education and to transfer up to
38 \$3,000,000 in available balances by financial order upon the recommendation of the State
39 Budget Officer and approval of the Governor from the existing General Fund program
40 accounts to the Child Development Services General Fund program account in order to
41 maintain services to students and provide timely payments to therapeutic service
42 providers.

1 It also requires the Commissioner of Education to submit a report to the Joint
2 Standing Committee on Appropriations and Financial Affairs and the Joint Standing
3 Committee on Education and Cultural Affairs on the transfer of funds to offset the Child
4 Development Services General Fund program account shortfall, including the fiscal and
5 programmatic impact of the transfer of funding on the affected Department of Education
6 programs, as well as the status of the Child Development Services System in providing
7 services to eligible children and providing timely payments to therapeutic service
8 providers, no later than June 14, 2011.

9 **PART M**

10
11 This Part reduces the amount of transfers required to be made from Other Special
12 Revenue Funds accounts of departments and agencies statewide to the unappropriated
13 surplus of the General Fund in fiscal year 2010-11 by \$1,209,894.

14 **PART N**

15
16 This Part authorizes the State Controller to transfer \$469,000 in unexpended funds in
17 the Department of the Attorney General, Administration - Attorney General, Other
18 Special Revenue Funds program to the General Fund unappropriated surplus at the close
19 of fiscal year 2010-11.

FISCAL NOTE REQUIRED
(See attached)



125th MAINE LEGISLATURE

LD 1372

LR 2121(02)

An Act To Make Additional Supplemental Appropriations and Allocations for the Fiscal Year Ending
June 30, 2011

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Appropriations and Financial Affairs

Fiscal Note Required: Yes

Fiscal Note

	FY 2010-11	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Net Cost (Savings)					
General Fund	\$0	\$0	\$0	\$0	\$0
Appropriations/Allocations					
General Fund	\$36,206,516	\$0	\$0	\$0	\$0
Transfers					
General Fund	\$36,206,516	\$0	\$0	\$0	\$0
Federal Expenditures Fund	(\$29,736,437)	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$848,545	\$0	\$0	\$0	\$0
Accident, Sickness and Health Insurance Internal Service Fund	(\$2,500,488)	\$0	\$0	\$0	\$0
Fund Detail by Section					
Appropriations/Allocations					
General Fund					
PART A, Section 1	\$38,206,516	\$0	\$0	\$0	\$0
PART H, Section 2	(\$2,000,000)	\$0	\$0	\$0	\$0

CA (H-84)

	FY 2010-11	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Transfers					
General Fund					
PART B, Section 1	\$29,736,437	\$0	\$0	\$0	\$0
PART D, Section 1	\$490,995	\$0	\$0	\$0	\$0
PART E, Section 1	\$50,000	\$0	\$0	\$0	\$0
PART F, Section 1	\$1,272,319	\$0	\$0	\$0	\$0
PART G, Section 1	\$2,500,488	\$0	\$0	\$0	\$0
PART J, Section 1	(\$79,928)	\$0	\$0	\$0	\$0
PART J, Section 2	(\$77,723)	\$0	\$0	\$0	\$0
PART K, Section 1	\$2,146,084	\$0	\$0	\$0	\$0
PART K, Section 3	\$908,738	\$0	\$0	\$0	\$0
PART M, Section 1	(\$1,209,894)	\$0	\$0	\$0	\$0
PART N, Section 1	\$469,000	\$0	\$0	\$0	\$0
Federal Expenditures Fund					
PART B, Section 1	(\$29,736,437)	\$0	\$0	\$0	\$0
Other Special Revenue Funds					
PART E, Section 1	(\$50,000)	\$0	\$0	\$0	\$0
PART J, Section 1	\$79,928	\$0	\$0	\$0	\$0
PART J, Section 2	\$77,723	\$0	\$0	\$0	\$0
PART M, Section 1	\$1,209,894	\$0	\$0	\$0	\$0
PART N, Section 1	(\$469,000)	\$0	\$0	\$0	\$0
Accident, Sickness and Health Insurance Internal Service Fund					
PART G, Section 1	(\$2,500,488)	\$0	\$0	\$0	\$0