

# MAINE STATE LEGISLATURE

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# 125th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2011

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Legislative Document

No. 1372

H.P. 1011

House of Representatives, March 31, 2011

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

(EMERGENCY)

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

A handwritten signature in cursive script, reading 'Heather J.R. Priest'.

HEATHER J.R. PRIEST  
Clerk

Presented by Representative FLOOD of Winthrop. (GOVERNOR'S BILL)  
Cosponsored by Senator ROSEN of Hancock and  
Representative: ROTUNDO of Lewiston, Senator: HILL of York.



1	<b>ADMINISTRATIVE AND</b>			
2	<b>FINANCIAL SERVICES,</b>			
3	<b>DEPARTMENT OF</b>			
4	<b>DEPARTMENT TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
5				
6	<b>GENERAL FUND</b>	<b>(\$805,238)</b>	<b>\$0</b>	<b>\$0</b>
7				
8	<b>DEPARTMENT TOTAL - ALL</b>	<b>(\$805,238)</b>	<b>\$0</b>	<b>\$0</b>
9	<b>FUNDS</b>			

10 **EDUCATION, DEPARTMENT OF**

11 **Child Development Services 0449**

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

14	<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
15	All Other	\$1,272,319	\$0	\$0
16				
17	<b>GENERAL FUND TOTAL</b>	<b>\$1,272,319</b>	<b>\$0</b>	<b>\$0</b>

18 **EDUCATION, DEPARTMENT OF**

19 **DEPARTMENT TOTALS**

20		<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
21	<b>GENERAL FUND</b>	<b>\$1,272,319</b>	<b>\$0</b>	<b>\$0</b>
22				
23	<b>DEPARTMENT TOTAL - ALL</b>	<b>\$1,272,319</b>	<b>\$0</b>	<b>\$0</b>
24	<b>FUNDS</b>			

25 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**

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

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

30	<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
31	All Other	\$29,736,437	\$0	\$0
32				
33	<b>GENERAL FUND TOTAL</b>	<b>\$29,736,437</b>	<b>\$0</b>	<b>\$0</b>

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

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

1	<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$8,143,905	\$0	\$0
3				
4	<b>GENERAL FUND TOTAL</b>	<u>\$8,143,905</u>	<u>\$0</u>	<u>\$0</u>

5	<b>HEALTH AND HUMAN</b>			
6	<b>SERVICES, DEPARTMENT OF</b>			
7	<b>(FORMERLY DHS)</b>			
8	<b>DEPARTMENT TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
9				
10	<b>GENERAL FUND</b>	<b>\$37,880,342</b>	<b>\$0</b>	<b>\$0</b>
11				
12	<b>DEPARTMENT TOTAL - ALL</b>	<u><b>\$37,880,342</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>
13	<b>FUNDS</b>			

14 **INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**  
15 **Maine Commission on Indigent Legal Services Z112**

16 Initiative: Provides funding for representation to Maine citizens who are entitled to  
17 counsel.

18	<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
19	All Other	\$550,000	\$0	\$0
20				
21	<b>GENERAL FUND TOTAL</b>	<u>\$550,000</u>	<u>\$0</u>	<u>\$0</u>

22	<b>INDIGENT LEGAL SERVICES,</b>			
23	<b>MAINE COMMISSION ON</b>			
24	<b>DEPARTMENT TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
25				
26	<b>GENERAL FUND</b>	<b>\$550,000</b>	<b>\$0</b>	<b>\$0</b>
27				
28	<b>DEPARTMENT TOTAL - ALL</b>	<u><b>\$550,000</b></u>	<u><b>\$0</b></u>	<u><b>\$0</b></u>
29	<b>FUNDS</b>			

30 **LABOR, DEPARTMENT OF**  
31 **Governor's Training Initiative Program 0842**

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

1	<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$224,895)	\$0	\$0
3				
4	<b>GENERAL FUND TOTAL</b>	<u>(\$224,895)</u>	<u>\$0</u>	<u>\$0</u>

5	<b>LABOR, DEPARTMENT OF</b>			
6	<b>DEPARTMENT TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
7				
8	<b>GENERAL FUND</b>	(\$224,895)	\$0	\$0
9				
10	<b>DEPARTMENT TOTAL - ALL</b>	<u>(\$224,895)</u>	<u>\$0</u>	<u>\$0</u>
11	<b>FUNDS</b>			

12 **TREASURER OF STATE, OFFICE OF**

13 **Debt Service - Treasury 0021**

14 Initiative: Reduces funding for debt service costs associated with note interest resulting  
 15 from a change in the assumption for the issuance of tax anticipation notes for fiscal year  
 16 2010-11.

17	<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
18	All Other	(\$43,750)	\$0	\$0
19				
20	<b>GENERAL FUND TOTAL</b>	<u>(\$43,750)</u>	<u>\$0</u>	<u>\$0</u>

21 **TREASURER OF STATE, OFFICE**  
 22 **OF**

23	<b>DEPARTMENT TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
24				
25	<b>GENERAL FUND</b>	(\$43,750)	\$0	\$0
26				
27	<b>DEPARTMENT TOTAL - ALL</b>	<u>(\$43,750)</u>	<u>\$0</u>	<u>\$0</u>
28	<b>FUNDS</b>			

29	<b>SECTION TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
30				
31	<b>GENERAL FUND</b>	\$38,628,778	\$0	\$0
32				
33	<b>SECTION TOTAL - ALL FUNDS</b>	<u>\$38,628,778</u>	<u>\$0</u>	<u>\$0</u>

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**PART B**

**Sec. B-1. Transfer from Federal Expenditures Fund; Department of Health and Human Services; Medical Care Services program.** Notwithstanding any other provision of law, the State Controller shall transfer \$29,736,437 by June 30, 2011 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.

**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 \$4,300,488 representing the General Fund and Other Special Revenue Funds shares from the Accident, Sickness and Health Insurance Internal

1 Service Fund in the Department of Administrative and Financial Services to the  
2 unappropriated surplus of the General Fund no later than June 30, 2011. The State  
3 Controller also shall transfer the equitable excess reserves as required by state or federal  
4 regulations by June 30, 2011.

5 **PART H**

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

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

16 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**  
17 **Departments and Agencies - Statewide 0016**

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

19	<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
20	All Other	(\$2,000,000)	\$0	\$0
21				
22	<b>GENERAL FUND TOTAL</b>	<u>(\$2,000,000)</u>	<u>\$0</u>	<u>\$0</u>

23 **PART I**

24 **Sec. I-1. Transfer from unappropriated surplus at close of fiscal year**  
25 **2010-11; Maine Budget Stabilization Fund.** Notwithstanding any other provision  
26 of law, at the close of fiscal year 2010-11, the State Controller shall transfer up to  
27 \$25,000,000 from the unappropriated surplus of the General Fund to the Maine Budget  
28 Stabilization Fund after all required deductions of appropriations, budgeted financial  
29 commitments and adjustments considered necessary by the State Controller have been  
30 made and as the first priority after the transfers required pursuant to the Maine Revised  
31 Statutes, Title 5, sections 1507 and 1511 and before the transfers required pursuant to  
32 Title 5, section 1536.

33 **PART J**

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

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





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**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**

This Part requires the State Budget Officer to calculate the savings as the result of a review of contracting processes and to transfer the savings by financial order upon the

1 approval of the Governor. The transfers are considered adjustments to appropriations in  
2 fiscal year 2010-11.

3 **PART I**

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

7 **PART J**

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

13 **PART K**

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

19 **PART L**

20 This Part authorizes the Commissioner of Education to prorate payments to Child  
21 Development Services System regional sites in the 4th quarter of fiscal year 2010-11 to  
22 maintain services within available resources.

23 **PART M**

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

**125th MAINE LEGISLATURE****LD 1372****LR 2121(01)****An Act To Make Additional Supplemental Appropriations and Allocations for the Fiscal Year Ending June 30, 2011**

**Fiscal Note for Original Bill**  
**Sponsor: Rep. Flood of Winthrop**  
**Committee: Appropriations and Financial Affairs**  
**Fiscal Note Required: Yes**

**Fiscal Note**

	<b>FY 2010-11</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>Projections FY 2013-14</b>	<b>Projections FY 2014-15</b>
<b>Net Cost (Savings)</b>					
General Fund	\$0	\$0	\$0	\$0	\$0
<b>Appropriations/Allocations</b>					
General Fund	\$36,628,778	\$0	\$0	\$0	\$0
<b>Transfers</b>					
General Fund	\$36,628,778	\$0	\$0	\$0	\$0
Federal Expenditures Fund	(\$29,736,437)	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$1,317,545	\$0	\$0	\$0	\$0
Accident, Sickness and Health	(\$4,300,488)	\$0	\$0	\$0	\$0
Insurance Internal Service Fund					

	<b>FY 2010-11</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>Projections FY 2013-14</b>	<b>Projections FY 2014-15</b>
<b>Fund Detail by Section</b>					
<b>Appropriations/Allocations</b>					
<b>General Fund</b>					
PART A, Section 1	\$38,628,778	\$0	\$0	\$0	\$0
PART H, Section 2	(\$2,000,000)	\$0	\$0	\$0	\$0
<b>Transfers</b>					
<b>General Fund</b>					
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	\$4,300,488	\$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 M, Section 1	(\$1,209,894)	\$0	\$0	\$0	\$0
<b>Federal Expenditures Fund</b>					
PART B, Section 1	(\$29,736,437)	\$0	\$0	\$0	\$0
<b>Other Special Revenue Funds</b>					
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
<b>Accident, Sickness and Health Insurance Internal Service Fund</b>					
PART G, Section 1	(\$4,300,488)	\$0	\$0	\$0	\$0