

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2018 and June 30, 2019

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

Sec. A-1. Appropriations and allocations. In order to provide for the necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 2018 and June 30, 2019, the following sums as designated in the following tabulations are appropriated or allocated out of money not otherwise appropriated or allocated.

PART B

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made to provide funding for approved reclassifications and range changes.

PART C

Sec. C-1. 5 MRSA, §1666, ¶4, as amended by PL 2013, c. 354, Pt. F, §2, is repealed.

Sec. C-2. 25 MRSA, §1509-A, as amended by PL 2013, c. 368, Pt. EEE, §1, is further amended to read:

Beginning in fiscal year ~~2013-14~~2017-18, state funding for the Department of Public Safety, Bureau of State Police must be provided as follows:

~~—1. Highway Fund. Thirty five percent must be allocated from the Highway Fund pursuant to Title 23, section 1653; and~~

2. General Fund. ~~Sixty five~~ One hundred percent must be appropriated from the General Fund.

**PART C
SUMMARY**

This Part changes the allocation in the Bureau of State Police program from thirty-five percent Highway Fund and sixty-five percent General Fund, to one hundred percent General Fund.

PART D

Sec. D-1. Attrition savings. Notwithstanding any other provision of law, the attrition rate for the 2018-2019 biennium is increased from 1.6% to 5% for judicial branch and executive branch departments and agencies only. The attrition rate for subsequent biennia is 1.6%.

Sec. D-2. Calculation and transfer. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in this Part that applies against each Highway Fund account for all departments and agencies from savings associated with attrition in fiscal year 2017-18 and fiscal year 2018-19 and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2017-18 and fiscal year 2018-19. The State Budget Officer shall provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than October 1, 2017.

**PART D
SUMMARY**

This Part recognizes an increase in the attrition rate from 1.6% to 5.0 % for the 2018-2019 biennium.

PART E

Sec. E-1. Programmed GARVEE bonding level for 2018-2019 biennium. Notwithstanding any other provision of law and pursuant to the Maine Revised Statutes, Title 23, chapter 19, subchapter 3-A, the Maine Municipal Bond Bank may issue from time to time up to \$50,000,000 of GARVEE bonds for highway and bridge needs statewide to be repaid solely from annual federal transportation appropriations for funding for qualified transportation projects.

**PART E
SUMMARY**

This Part allows the Maine Municipal Bond Bank to issue up to \$50,000,000 of GARVEE bonds for highway and bridge needs.

PART F

Sec. F-1. Transfer of Highway Fund unallocated balance; capital program needs; Department of Transportation. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of the fiscal years 2017-18 and 2018-19 the State Controller shall transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute and the fiscal year 2017-18 unallocated balance dedicated to the fiscal year 2018-19 budgets to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. The transferred amounts are considered adjustments to allocations. Within 30 days of approval of the financial order, the Commissioner of Transportation shall provide to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters a report detailing the financial status of the department's capital program.

PART F SUMMARY

This Part authorizes the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund after all commitments, to the Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs within the Department of Transportation, for capital needs.

PART G

Sec. G-1. Transfer authorized. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, for the fiscal years ending June 30, 2018 and June 30, 2019 the Commissioner of Transportation is authorized to transfer, by financial order upon the recommendation of the State Budget Officer and approval of the Governor, identified Highway Fund Personal Services savings to the Department of Transportation Highway and Bridge Capital, Highway Light Capital and Maintenance and Operations programs for capital or all other needs. The financial order must identify the specific savings after all adjustments that may be required by the State Controller to ensure that all financial commitments have been met in Personal Services after assuming all costs for that program including collective bargaining costs. The Commissioner of Transportation shall provide a report by September 15, 2018 and September 15, 2019 to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters detailing the financial adjustments to the Highway Fund.

PART G SUMMARY

This Part requires the State Controller to transfer Highway Fund Personal Services balance available at the end of each fiscal year to the Department of Transportation, Highway

and Bridge Capital, Highway Light Capital, and Maintenance and Operations for capital or all other needs. The funds may be allocated by financial order upon the recommendation of the State Budget Officer and the approval of the Governor.

PART H

Sec. H-1. Transfer of funds; Highway Fund; TransCap. Notwithstanding any other provision of law, the State Controller shall transfer \$6,253,259 in fiscal year 2017-18 and \$6,328,638 in fiscal year 2018-19 from the Highway Fund unallocated surplus to the TransCap Trust Fund established in the Maine Revised Statutes, Title 30-A, section 6006-G.

PART H SUMMARY

This Part requires the State Controller to transfer \$6,253,259 in fiscal year 2017-18 and \$6,328,638 in fiscal year 2018-19 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

PART I

Sec. I-1. Transfers of nonbond funds; capital project expenditures: 5 year useful life. Notwithstanding the Maine Revised Statutes, Title 23, section 1604, subsection 3 or any other provision of law, transfers of nonbond funds from the TransCap Trust Fund established in Title 30-A, section 6006-G may be used for capital projects having an estimated useful life of 5 years or more.

PART I SUMMARY

This Part allows Trans Cap Trust Fund grants and loans may be authorized for capital projects with an anticipated useful life of 5 years.