

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 Year Ending June 30, 2017

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 year ending June 30, 2017, 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. Continuation of limited-period positions. Notwithstanding any other provision of law, all limited-period positions throughout State Government that are scheduled to expire during June 2017 are continued until August 1, 2017.

**PART C
SUMMARY**

This Part continues limited-period positions set to expire in June 2017 through August 1, 2017.

PART D

Sec. D-1. Transfer to Maine Budget Stabilization Fund for fiscal year 2016-17. The State Controller shall transfer \$35,000,000 to the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, section 1532 from the unappropriated surplus of the General Fund no later than June 30, 2017.

PART D SUMMARY

This bill requires the transfer of \$35,000,000 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund.

PART E

Sec. E-1. Carry Balance; Department of Administrative and Financial Services, Bureau of Revenue Services. Notwithstanding any other provision of law, the State Controller shall carry any remaining fiscal year 2016-17 balance of the \$300,000 one-time General Fund appropriation in the Department of the Administrative and Financial Services, Bureau of Revenue Services program for the updating of economic database information used for revenue projections provided to the Revenue Forecasting Committee in Public Law 2015, chapter 267, Part A into the next fiscal year to be used for the same purpose.

PART E SUMMARY

This Part authorizes the State Controller to carry any unexpended All Other balances of as of June 30, 2017 in the All Other line category of the \$300,000 one-time General Fund appropriation in the Department of the Administrative and Financial Services, Bureau of Revenue Services program for the updating of economic database information used for revenue projections provided to the Revenue Forecasting Committee in Public Law 2015, chapter 267, Part A into the next fiscal year to be used for the same purpose

PART F

Sec. F-1. 22 MRSA §3035, sub-§5, as enacted by PL 1997, c. 598, §1, is amended to read:

5. Deposit of fees. All fees collected must be deposited in a nonlapsing dedicated account within the Office of Chief Medical Examiner. ~~At the end of each fiscal year, the State Controller shall transfer all unencumbered balances in excess of \$500 to the General Fund as undedicated revenue.~~

**PART F
SUMMARY**

This Part removes the requirement that unencumbered balances in excess of \$500 be transferred to the General Fund as undedicated revenue at the end of each fiscal year and makes the account carrying.

PART G

Sec. G-1. Use of Balance. Any balance remaining in the Fund for Women Veterans account in the Veterans Services program after June 30, 2015 may be used in fiscal year 2016-17 within the same account to partially fund additional costs of the Internet Quorum Case Management software for Veterans Services.

**PART G
SUMMARY**

This Part authorizes the balance remaining in the Fund for Women Veterans account in the Veterans Services program to be used for software for Veterans Services.

PART H

Sec. H-1. 12 MRSA §10251, sub-§4, as amended by PL 2015, c. 267, Pt. MMM §1, is further amended to read:

4. Uses of fund. Prior to July 1, 2010, the Treasurer of State continuously shall reinvest all earnings of the fund and may not authorize any payments from the fund or use any earnings of the fund, except those necessary to pay the costs of administering the fund. On July 1, 2010, and on July 1st of each year thereafter, the Treasurer of State shall transfer to the department an amount determined by the department, not to exceed 5% of the fund principal. Additional interest earned by the fund, if any, must be reinvested. ~~All funds received from the department under section 10851 and this section are subject to allocation by the Legislature.~~ Unexpended balances from funds transferred to the department in any fiscal year may be carried forward to the next fiscal year to be used for the same purpose.

**PART H
SUMMARY**

This Part allows unexpended balances from funds transferred to the Department of Inland Fisheries and Wildlife from the Office of Treasurer of State to be carried forward into the next fiscal year to be used for the same purpose.

PART I

Sec. I-1. Transfer of funds; Department of Inland Fisheries and Wildlife carrying account. On or before June 30, 2017, the State Controller shall transfer \$700,000 from the Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Fisheries and Hatcheries Operations program, General Fund account to construct water supply pipelines and update water treatment equipment at the Casco fish hatchery.

PART I SUMMARY

This Part authorizes the State Controller to transfer funds from the Inland Fisheries and Wildlife Carrying Balances – General Fund account to the Fisheries and Hatcheries Operations program, General Fund account to construct water supply pipelines and update water treatment equipment at the Casco fish hatchery in fiscal year 2016-17.

PART J

Sec. J-1. Department of Inland Fisheries and Wildlife, Fisheries and Hatcheries Operations program, General Fund Capital Expenditures balances authorized to carry. Any Capital Expenditures line category balances remaining in the Fisheries and Hatcheries Operations program, General Fund account at the end of fiscal year 2016-17, after all financial commitments for other obligations and budgetary adjustments have been made, are to be carried forward in the Capital Expenditures line category in the Fisheries and Hatcheries Operations program to use in fiscal year 2017-18 for the construction of water supply pipelines and updating of water treatment equipment at the Casco fish hatchery.

PART J SUMMARY

This Part allows any remaining balances at the end of fiscal year 2016-17 in the Capital Expenditures line category in the General Fund account of the Fisheries and Hatcheries Operations program to be used for the construction of water supply pipelines and updating of water treatment equipment at the Casco fish hatchery to carry into fiscal year 2017-18. Capital Expenditures line category balances will be carried forward in the same program rather than be carried forward in the Department's Inland Fisheries and Wildlife Carrying Balances – General Fund account at the end of fiscal year 2016-17.

PART K

Sec. K-1. Judicial Department; Personal Services balances transfer authorized. Notwithstanding any other provision of law, in fiscal year 2016-17, the Judicial Department is

authorized to transfer available balances in the Personal Services line category of General Fund accounts, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, to the Capital Expenditures line category in the Courts – Supreme, Superior and District program, General Fund account in the Judicial Department to be used for the purpose of making capital improvements to judicial facilities in fiscal year 2016-17.

Sec. K-2. Judicial Department; Personal Services balance authorized to carry. Notwithstanding any other provision of law, the Judicial Department is authorized to carry all fiscal 2016-17 year-end balances in the Personal Services line category of General Fund accounts, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, to the Capital Expenditures line category in the Courts – Supreme, Superior and District program, General Fund account in the Judicial Department to be used for the purpose of making capital improvements to judicial facilities in fiscal year 2017-18.

Sec. K-3. Judicial Department; Capital Expenditures balance authorized to carry. Notwithstanding any other provision of law, the Judicial Department is authorized to carry fiscal 2016-17 year-end balance in Capital Expenditures line category in the Courts – Supreme, Superior and District program, General Fund account in the Judicial Department, after all financial commitments for other obligations and budgetary adjustments have been made, in to fiscal year 2017-18 in the Capital Expenditures line category in the Courts – Supreme, Superior and District program, General Fund account in the Judicial Department to be used for the purpose of making capital improvements to judicial facilities.

PART K SUMMARY

This Part allows the Judicial Department to transfer any available balances in the Personal Services line category of General Fund accounts to the Capital Expenditures line category of the Courts – Supreme, Superior and District program, General Fund account in fiscal year 2016-17.

This Part also allows the Judicial Department to carry any remaining 2016-17 fiscal year-end balances in the Personal Services line category of the General Fund accounts and any remaining 2016-17 fiscal year end balances in the Capital Expenditures line category in the Courts – Supreme, Superior and District program, General Fund account, to fiscal year 2017-18 in the Capital Expenditures line category in the Courts – Supreme, Superior and District program, General Fund account, for the purpose of making capital improvements to judicial facilities.

PART L

Sec. L-1. Carrying provision; Department of the Secretary of State, Administration – Archives. Notwithstanding any other provision of law, the State Controller shall carry forward any unexpended balances in the Personal Services and All Other line categories, after all financial commitments for salary, benefits, other obligations and budgetary adjustments have been made, at the end of fiscal year 2016-17 to the All Other line category in the next fiscal year in the Department of the

Secretary of State, Administration - Archives program to be used for converting original state department records to electronic formats to preserve and provide public access to state records.

**PART L
SUMMARY**

This Part authorizes the State Controller to carry forward unexpended Personal Services and All Other balances as of June 30, 2017 to the All Other line category in the Department of the Secretary of State, Administration – Archives program for use in the next fiscal year.

PART M

Sec. M-1. Carrying provision; Department of the Secretary of State, Bureau of Administrative Services and Corporations. Notwithstanding any other provision of law, the State Controller shall carry forward any unexpended balance in the All Other line category, after all financial commitments for other obligations and budgetary adjustments have been made, at the end of fiscal year 2016-17 to the All Other line category in the next fiscal year in the Department of the Secretary of State, Bureau of Administrative Services and Corporations program to be used to upgrade computer software.

**PART M
SUMMARY**

This Part authorizes the State Controller to carry forward any unexpended balance as of June 30, 2017 in the All Other line category in the Department of the Secretary of State, Bureau of Administrative Services and Corporations program for use in the next fiscal year.

PART N

Sec. N-1. PL 1997, c. 763, §5 is amended to read:

Payment of unfunded liability; administrative costs and retiree health insurance premiums. The Maine ~~Technical Community College~~ System shall make ~~contributions toward payment of the unfunded liability costs and administrative costs to the Maine State Retirement System~~ and payment of retiree health insurance premiums to the Department of Administrative and Financial Services on behalf of Maine ~~Technical Community College~~ System ~~employees~~ retirees who ~~elect~~ elect to participate in a defined contribution plan offered by the Board of Trustees of the Maine ~~Technical Community College~~ System as provided in the Maine Revised Statutes, Title 20-A, section 12722, subsection 2, ~~at the same percentage as the Maine Technical Community College System contributes on behalf of its employees who are active members of the retirement system.~~

Sec. N-2. PL 1997, c. 763, §6, is repealed.

Sec. N-3. 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 \$13,990,596 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 2016-17.

Sec. N-4. 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 \$13,990,596 from the Salary Fund program in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund at the close of fiscal year 2016-17 in the event that the total savings in section 1 of this Part are not achieved.

PART N SUMMARY

This Part eliminates the requirement that the Maine Community College System make contributions toward payment of the unfunded liability and administrative costs to the Maine State Retirement System for retirees who elected to participate in a defined contribution plan. This Part also repeals the obligation of the Department of Administrative and Financial Services to develop long term strategies to create funding methods for future salary increases resulting from the Maine Community College System collective bargaining process.

PART O

Sec. O-1. 5 MRSA §1524 is enacted to read:

5. Maine Military Reserve fund. There is established within the Department of Administrative and Financial Services, a nonlapsing Maine Military Reserve Fund, referred to in this section as "the fund." The fund receives funds allocated or transferred by the Legislature from the unappropriated surplus of the General Fund. The State Controller shall disburse money in accordance with the provisions established for the Maine Military operation in Title 37-B, §393. At the close of any fiscal year, amounts remaining in the Maine Military Authority Reserve Fund that the State Controller has determined are not needed to support the Maine Military operation may be transferred to the Maine Budget Stabilization Fund established under the Maine Revised Statutes, Title 5, section 1532. The State Controller shall provide quarterly financial reports regarding the Maine Military Reserve Fund to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over the Maine Military Authority.

Sec. O-2. Transfer from General Fund unappropriated surplus; Maine Military Reserve Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$10,000,000 from the General Fund unappropriated surplus to the Maine Military Reserve Fund within the Department of Administrative and Financial Services no later than June 30, 2017.

**PART O
SUMMARY**

This part establishes a reserve fund within the Department of Administrative and Financial Services for the Maine Military Authority operation.