

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, 2021, June 30, 2022 and June 30, 2023

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, 2022 and June 30, 2023, 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. Attrition savings. Notwithstanding any other provision of law to the contrary, the attrition rate for the 2022-2023 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. C-2. Calculation and transfer. Notwithstanding any other provision of law to the contrary, 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 2021-22 and fiscal year 2022-23 and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to

appropriations in fiscal year 2021-22 and fiscal year 2022-23. 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, 2021.

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

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
Executive Branch Departments and Independent Agencies - Statewide 0017**

Initiative: Reduces funding to reflect projected savings from an increase in the attrition rate from 1.6% to 5% for fiscal years 2021-22 and 2022-23.

HIGHWAY FUND	2021-22	2022-23
Personal Services	(\$4,812,492)	(\$4,888,550)
HIGHWAY FUND TOTAL	(\$4,812,492)	(\$4,888,550)

**PART C
SUMMARY**

This Part sets the attrition rate for the 2022-2023 biennium from 1.6% to 5% for judicial branch and executive branch departments and agencies.

PART D

Sec. D-1. 30-A MRSA §6006-G, sub-§4, A as amended by PL 2009, c. 411, §2 and further amended by PL 2009, c. 413. Pt. X, §1 is amended to

A. To make grants and loans to the Department of Transportation and municipalities under this section, except that such grants may be used only for capital projects that have an anticipated useful life of at least ~~10 years~~ 5 years and such bonds may be used only for capital projects that have an anticipated useful life of at least as long as the bond term.

**PART D
SUMMARY**

This Part allows TransCap Trust Fund nonbond funds to be used for capital projects with an anticipated useful life of 5 years or more.

PART E

Sec. E-1. Programmed GARVEE bonding level for 2022-2023 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 funds; Highway Fund; TransCap. Notwithstanding any other provision of law, the State Controller shall transfer \$2,000,000 in fiscal year 2021-22 and \$2,000,000 in fiscal year 2022-23 from the Highway Fund unallocated surplus to the TransCap Trust Fund.

PART F SUMMARY

This Part requires the State Controller to transfer \$2,000,000 in fiscal year 2021-22 and \$2,000,000 in fiscal year 2022-23 from the unallocated surplus of the Highway Fund to the TransCap Trust Fund.

PART G

Sec. G-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 2021-22 and 2022-23 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 to the Department of Transportation Highway and Bridge Capital, Highway and Bridge 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 G SUMMARY

This Part requires the State Controller to transfer amounts exceeding \$100,000 from the unallocated balance in the Highway Fund at the close of fiscal years 2021-22 and 2022-23 after all commitments to the Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs within the Department of Transportation for capital and all other needs.

PART H

Sec. H-1. Transfer of Personal Services savings; Department of Transportation. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, for the fiscal years ending June 30, 2022 and June 30, 2023 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 and Bridge 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, 2022 and September 15, 2023 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 H SUMMARY

This Part authorizes the Commissioner of the Department of Transportation to transfer Highway Fund Personal Services balances available at the end fiscal years 2021-22 and 2022-23 to the Department of Transportation, Highway and Bridge Capital, Highway and Bridge Light Capital and Maintenance and Operations programs for capital or all other needs.

PART I

Sec. I-1. Carrying provision; Department of Secretary of State, Administration - Motor Vehicles program. Notwithstanding any provision of law to the contrary, the State Controller shall carry forward any unexpended balances in the Personal Services and All Other

line categories in the Department of Secretary of State, Administration - Motor Vehicles program, after all financial commitments for salary, benefits and other obligations and budgetary adjustments have been made, at the end of fiscal year 2020-21 and fiscal year 2021-22 to the All Other line category for the following fiscal year in the Department of Secretary of State, Administration - Motor Vehicles program to be used for the procurement and implementation of hardware and software for computer modernization projects. and provide funding for the increase in Statewide Cost Allocation Plan (STA-CAP) obligations;

PART I SUMMARY

This Part authorizes the Department of Secretary of State to carry forward any remaining Personal Services and All Other balances in the Administration – Motor Vehicles program for fiscal years 2021-22 and 2022-23 to address the need for hardware and software computer modernization projects.