

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, 2016 and 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 years ending June 30, 2016 and 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. Programmed GARVEE bonding level for 2016-2017 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.

**SUMMARY
PART B**

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

PART C

Sec. C-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 2015-16 and 2016-17 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 2015-16 unallocated balance dedicated to the fiscal year 2016-17 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.

SUMMARY PART C

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 and All Other needs.

PART D

Sec. D-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, 2016 and June 30, 2017 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, 2016 and September 15, 2017 to the members of the joint standing committee of the Legislature having jurisdiction over transportation matters detailing the financial adjustments to the Highway Fund.

**SUMMARY
PART D**

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, or 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 E

Sec. E-1. Transfer of funds; Highway Fund; TransCap. Notwithstanding any other provision of law, the State Controller shall transfer \$5,710,148 in fiscal year 2015-16 and \$5,696,863 in fiscal year 2016-17 from the Highway Fund unallocated surplus to the TransCap Trust Fund.

**SUMMARY
PART E**

This Part requires the State Controller to transfer \$5,710,148 in fiscal year 2015-16 and \$5,696,863 in fiscal year 2016-17 from the unallocated surplus of the Highway Fund to the Trans Cap Trust Fund.

PART F

Sec. F-1. Transfers of nonbond funds; capital project expenditures: 5 year useful life. Notwithstanding the Maine Revised Statutes, Title 24, section 1604, subsection 3 or any other provision of law, transfers of nonbond funds from the TransCap Trust Fund may be used for capital projects having an estimated useful life of 5 years.

**SUMMARY
PART F**

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

PART G

Sec. G-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, on behalf of the Department of Public Safety, may enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police. The financing arrangements entered into in each fiscal year may not exceed \$2,600,000 in principal costs, and a financing arrangement may not exceed 3 years in duration. The interest rate may not

exceed 5%. The annual principal and interest costs must be paid from the appropriate line category appropriations and allocations in the State Police accounts.

**SUMMARY
PART G**

This Part authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the Department of Public Safety.

PART H

Sec. H-1. Attrition savings. Notwithstanding any other provision of law, the attrition rate for the 2016-2017 biennium is increased from 1.6% to 3% for judicial branch and executive branch departments and agencies only. The attrition rate for subsequent biennia is 1.6%.

Sec. H-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 2015-16 and fiscal year 2016-17 and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2015-16 and fiscal year 2016-17. 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, 2015.

**SUMMARY
PART H**

This Part recognizes an increase in the attrition rate to 3% for the 2016-2017 Biennium for judicial branch and executive branch departments and agencies.

PART I

Sec. I-1. 23 MRSA §4210-F is enacted to read:

§4210-F. Industrial Drive Facility Fund

1. Establishment of fund. The Industrial Drive Facility Fund, referred to in this section as "the fund" is established as an internal service fund in the Department of Transportation for the purposes of managing the fund and operating the facility for the maintenance of vehicles. The Department may charge a fee to agencies using the facility.

Funds appropriated, allocated, transferred or deposited in the account accrue interest earnings that must be used within the Industrial Drive Facility Fund.

2. Use of funds. The money deposited into and disbursed from the Industrial Drive Facility Fund must be used for the purposes of purchasing, operating, maintaining, improving, and repairing the facility.

SUMMARY PART I

This part establishes a new internal service fund, the Industrial Drive Facility Fund in the Department of Transportation for the purposes of purchasing, operating, maintaining, improving and repairing the facility.