

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

Amend the bill in Part B in section 1 on page 36 under the caption "**INDIGENT LEGAL SERVICES, MAINE COMMISSION ON**" in the 2nd part relating to "**Maine Commission on Indigent Legal Services Z112**" in the initiative in the last 2 lines (page 36, lines 23 and 24 in L.D.) by striking out the following: "effective January 1, 2015"

Amend the bill in Part X by inserting after section 2 the following:

‘Sec. X-3. Transfer from 4th priority transfer at close of fiscal year 2013-14; Department of Health and Human Services, Developmental Services Waiver - MaineCare program. Notwithstanding any other provision of law, at the close of fiscal year 2013-14, the State Controller shall transfer up to \$1,300,000 of the amounts reserved pursuant to section 2 of this Part to the Department of Health and Human Services, Developmental Services Waiver - MaineCare program for services provided under Department of Health and Human Services Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 21 for individuals on the Priority 1 waiting list for waiver services.

Sec. X-4. Transfers considered adjustments to appropriations. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, amounts transferred pursuant to section 3 of this Part are considered ongoing adjustments to appropriations beginning in fiscal year 2014-15. These funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.’

Amend the bill in Part Z by striking out all of section 1 (page 55, lines 33 to 39 and page 56, lines 1 to 5 in L.D.) and inserting the following:

‘Sec. Z-1. Vacancy review and lapsed savings. The Department of Administrative and Financial Services, Bureau of the Budget shall conduct a review of vacant General Fund positions in executive branch departments and agencies for the purpose of identifying total savings in the Personal Services line category equal to \$599,533 in fiscal year 2014-15. The Commissioner of Administrative and Financial Services shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by July 1, 2014 with recommendations for the vacant General Fund positions that must be administratively held vacant during fiscal year 2014-15 to achieve the target level of savings and include the amounts of savings for the affected General Fund accounts. On or before August 1, 2014, the State Controller shall lapse the Personal Services savings identified in the commissioner’s report from these General Fund accounts to the unappropriated surplus of the General Fund. The State Budget Officer shall prepare a financial order to reduce allotment in the affected accounts by the amount of the lapsed Personal Services savings.’

SUMMARY

This amendment designates up to \$1,300,000 of the 4th priority transfer of the year-end distribution of the unappropriated surplus of the General Fund at the close of fiscal year 2013-14 to be transferred by financial order to the Department of Health and Human Services, Developmental Services Waiver

- MaineCare program for services provided under the MaineCare Benefits Manual, Chapter II, Section 21 for individuals on the Priority 1 waiting list for waiver services. These transfers are to be considered ongoing adjustments to appropriations beginning in fiscal year 2014-15.

This amendment removes the time restriction on the availability of funds for the Maine Commission on Indigent Legal Services for investigator, interpreter, transcription and expert witness fee costs as well as increased attorney's fee expenses.

This amendment makes a change to the vacant position review in Part Z to clarify that the review is of executive branch positions only. It also directs the State Budget Officer to prepare a financial order to reduce allotments consistent with the lapsed Personal Services savings in the affected General Fund accounts.

FISCAL NOTE REQUIRED
(See attached)