

MAINE STATE LEGISLATURE

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APPROPRIATIONS AND FINANCIAL AFFAIRS

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 383, L.D. 499, Bill, "An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General 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, 2008 and June 30, 2009"

Amend the bill by striking out the title and substituting the following:

'An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General 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, 2007, June 30, 2008 and June 30, 2009'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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

COMMITTEE AMENDMENT

1 and All Other costs of one Education Team and Policy Director position, one Education
2 Specialist III position, one Planning and Research Associate I position and the agreement
3 that provides one-to-one wireless computers for 7th grade, 8th grade and high school
4 students and educators may occur annually by financial order upon recommendation of
5 the State Budget Officer and approval of the Governor.

6 **PART E**

7 **Sec. E-1. 20-A MRSA §15754**, as amended by PL 2005, c. 386, Pt. E, §1, is
8 repealed.

9 **PART F**

10 **Sec. F-1. 21-A MRSA §1125, sub-§3, ¶A**, as enacted by IB 1995, c. 1, §17, is
11 amended to read:

12 A. For a gubernatorial candidate, at least ~~2,500~~ 3,250 verified registered voters of
13 this State must support the candidacy by providing a qualifying contribution to that
14 candidate;

15 **Sec. F-2. General Fund transfer to Maine Clean Election Fund.**
16 Notwithstanding Title 21-A, section 1124, subsection 2, paragraph B, in lieu of the
17 \$2,000,000 transfer authorized to be made on January 1, 2009, the State Controller shall
18 transfer \$700,000 from the General Fund to the Maine Clean Election Fund on September
19 1, 2008 in order to ensure that adequate funds will be available to the Commission on
20 Governmental Ethics and Election Practices.

21 **PART G**

22 **Sec. G-1. Calculation and transfer; General Fund health insurance**
23 **savings.** Notwithstanding any other provision of law, the State Budget Officer shall
24 calculate the amount of savings in section 2 that apply against each General Fund account
25 for all departments and agencies except legislative branch departments and agencies from
26 savings in the cost of health insurance and shall transfer the amounts by financial order
27 upon the approval of the Governor. These transfers are considered adjustments to
28 appropriations in fiscal years 2007-08 and 2008-09. The State Budget Officer shall
29 provide the Joint Standing Committee on Appropriations and Financial Affairs a report of
30 the transferred amounts no later than November 1, 2007.

31 **Sec. G-2. Appropriations and allocations.** The following appropriations and
32 allocations are made.

33 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

34 **Departments and Agencies - Statewide 0016**

35 Initiative: Reduces funding to reflect savings to the State for the cost of health insurance.

36 **GENERAL FUND** **2007-08** **2008-09**

1 4. For those school budgets that were not approved by the voters with the initial
2 referendum, determine the number of referendums that were required to be held in order
3 to obtain voter approval and the number of school budgets that exceeded the maximum
4 state and local spending target;

5 5. Collect and analyze other information regarding the validation referendum process
6 as deemed pertinent by the department; and

7 6. Report its findings and recommendations, including suggested legislation, to the
8 joint standing committee of the Legislature having jurisdiction over education matters by
9 December 15, 2010. In its recommendations, the department shall include proposals to
10 extend, modify or repeal the current validation referendum process. Following receipt
11 and review of the report, the joint standing committee of the Legislature having
12 jurisdiction over education matters shall report out a bill to the First Regular Session of
13 the 125th Legislature that extends, modifies or repeals the current validation referendum
14 process.

15 **Sec. XXXX-46. Reports; additional necessary implementing legislation.**

16 No later than January 31, 2008, the Commissioner of Education shall submit to the Joint
17 Standing Committee on Education and Cultural Affairs an initial report that contains
18 recommendations and any proposed legislation necessary to fully implement this Part
19 including legislation to convert school administrative districts and community school
20 districts to the regional school unit form of governance on July 1, 2009. Following
21 receipt and review of the initial report, the Joint Standing Committee on Education may
22 submit legislation to the Second Regular Session of the 123rd Legislature. No later than
23 January 31, 2009, the Commissioner of Education shall submit to the joint standing
24 committee of the Legislature having jurisdiction over education matters a final report that
25 contains recommendations and any proposed legislation necessary to fully implement this
26 Part including proposed legislation to repeal the laws governing school administrative
27 districts and community school districts. Following receipt and review of the final report,
28 the joint standing committee of the Legislature having jurisdiction over education matters
29 may submit legislation to the First Regular Session of the 124th Legislature.

30 **Emergency clause.** In view of the emergency cited in the preamble, this
31 legislation takes effect when approved, except as otherwise indicated.'

32 **SUMMARY**

33 **PART A**

34 This Part makes appropriations and allocations for necessary expenditures of State
35 Government and other purposes for the 2008-2009 biennium.

36 **PART B**

37 This Part provides appropriations and allocations to provide funding for approved
38 reclassifications and range changes.

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PART C

This Part authorizes Jobs for Maine's Graduates, the Maine School of Science and Mathematics, the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf to be included as miscellaneous costs under the General Purpose Aid for Local Schools funding formula to replace General Fund deappropriations in Part A. It also reduces the annual target for the state share percentage for fiscal year 2007-08 and establishes the mill rate expectation at 7.44 for fiscal year 2007-08. It also establishes the state and local components of the cost of funding public education from kindergarten to grade 12 for fiscal year 2007-08.

PART D

This Part clarifies and makes technical changes to address issues related to eligibility for salary supplements and minimum teacher salaries. It also continues the legislative intent of the eligibility provision in Public Law 2005, chapter 519, Part AAAA, section 22 that certain municipalities receive the minimum state allocation. It also authorizes additional uses of funding provided for General Purpose Aid for Local Schools. It also makes statutory changes regarding the disbursement of funds for regionalization, consolidation and efficiency assistance.

PART E

This Part repeals the Fund for the Efficient Delivery of Educational Services within the Department of Education.

PART F

This Part increases the required number of qualifying contributions for Maine Clean Election Act gubernatorial candidates from 2,500 to 3,250. This Part also authorizes the transfer of \$700,000 from the General Fund to the Maine Clean Election Fund on September 1, 2008 in order to ensure that adequate funds will be available to the Commission on Governmental Ethics and Election Practices in lieu of the \$2,000,000 transfer authorized to be made on January 1, 2009.

PART G

This Part requires the State Budget Officer to calculate and transfer by financial order, as adjustments to appropriations, savings in the cost of health insurance in Part A and report the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs by November 1, 2007.

PART H

This Part changes the distribution of the State's share of real estate transfer tax proceeds by reducing the amount paid to the Maine State Housing Authority by \$5,000,000 in fiscal year 2007-08 and fiscal year 2008-09.