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STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

To: Sen. Bill Diamond, Senate Chair
Rep. Emily Cain, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

From: Sen. Stan Gerzofsky, Senate Chair *SG*
Rep. Anne Haskell, House Chair *AH*
Joint Standing Committee on Criminal Justice and Public Safety

Re: LD 45 Supplemental Budget report back pursuant to Joint Rule 314

Date: January 16, 2009

Please accept this memo in response to your request for Supplemental Budget report backs pursuant to Joint Rule 314.

**Department of Defense, Veterans and Emergency Management,
Maine Emergency Management Agency**

The committee has reviewed MEMA's Supplemental Budget requests, and those present unanimously endorsed the first two (Administration – MEMA 0214 and Disaster Assistance 0841) as proposed. The committee also unanimously endorsed amending the Stream Gaging Cooperative Program 0858 by increasing the amount deappropriated from (\$32,984) to (\$100,000). Because MEMA can use a special supplemental allotment of Emergency Management Performance Grant (EMPG) funds received from FEMA for the current year, the deappropriation can be increased and MEMA will still be able to maintain its critical stream gages. The agency notes that because this is a special allotment of the EMPG funds and EMPG funding for future fiscal years is uncertain, funding the gages in this manner should be considered a one-time action.

Department of Public Safety

The committee has reviewed the Department of Public Safety's Supplemental Budget requests and those present unanimously endorsed all proposals.

Although this committee does not have direct jurisdiction over the Gambling Control Board, we did discuss availability of gambling addiction services money in an effort to attempt to find funds for treatment of inmates with gambling addictions within the Department of Corrections. Commissioner Jordan indicated that there are no additional funds in that program at this time. The Legal and Veterans Affairs Committee will also be reviewing this issue.

Department of Corrections

The committee has been holding works sessions with the Department of Corrections all week and also toured the Charleston Correctional Facility. In an effort to maintain all of the current units at Charleston Correctional Facility for this fiscal year, the committee and the Department of Corrections have identified a number of areas in the department's supplemental budget where adjustments may be made. Because a couple of the proposals need to be followed up on and confirmed, the committee has asked the department to continue working this weekend. The Criminal Justice and Public Safety Committee will reconvene in work session Tuesday morning before we report back to you all supplemental recommendations regarding the Department of Corrections. Thank you for your patience and flexibility in this process. We believe that that the extra time and work is worthwhile, as it will give the Legislature and the State Board of Corrections the opportunity to look carefully at the entire Department of Corrections system and its mission in future deliberations on corrections services.

Attached, please see the report back worksheets for DPS and MEMA, which were generated by OFPR for your review process. We will submit our worksheets for DOC on Tuesday. Please let us know if you have any questions.

CORRECTIONS, DEPARTMENT OF
DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
GENERAL FUND	\$3,595,919	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$30,670	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$3,626,589	\$0	\$0

→ DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Maine Emergency Management Agency 0214

Initiative: Adjusts funding to meet the current rates published by the Office of Information Technology.

Ref. #: 313 - P43

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$2,000	\$0	\$0
GENERAL FUND TOTAL	\$2,000	\$0	\$0

Justification:

Adjustments are necessary to continue to maintain technology services from the Office of Information Technology.

Disaster Assistance 0841

Initiative: Provides funding for the State's share of disaster assistance for previously declared floods including the May 2008, Patriot's Day, Oxford County and St. Patrick's Day floods.

Ref. #: 314 - P43

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,260,532	\$0	\$0
GENERAL FUND TOTAL	\$1,260,532	\$0	\$0

Justification:

This funding is necessary to continue to make disaster assistance payments to Maine communities.

Stream Gaging Cooperative Program 0858

Initiative: Reduces funding by reducing the amount available for stream gaging.

Ref. #: 327 - P46

Committee Vote: in as amended AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$32,984)	\$0	\$0
	(\$100,000)		

GENERAL FUND TOTAL

(\$32,984)	\$0	\$0
(\$100,000)		

Justification:

This reduction will require an elimination of 5-6 stream gages, a significant curtailment of the snow survey program, or elimination of the ground water monitoring program along with a reduction in stream gaging and/or snow survey efforts.

Use of EMPG funds allows for greater deappropriation and maintenance of these stream gages.

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$1,229,548	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$1,229,548	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

Initiative: Reduces funding from savings in health insurance and rent. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 636 - P130

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$2,100)	\$0	\$0
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$7,100)	\$0	\$0

Justification:

Actual health insurance expenditures are less than budgeted for fiscal year 2009. The Commissioner opted out of State health insurance thereby allowing the reduction. Actual rent expenditures are less than budgeted for fiscal year 2009.

Background Checks - Certified Nursing Assistants 0992

Initiative: Reduces funding from savings in general operations in the State Bureau of Identification's background checks for certified nursing assistants. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 637 - P131

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$8,000)	\$0	\$0
GENERAL FUND TOTAL	(\$8,000)	\$0	\$0

Justification:

During an administrative review of all accounts, it was determined that expenses that were to have been born by this account were absorbed and paid by another SBI materials account.

Capitol Security - Bureau of 0101

Initiative: Provides funding to maintain the computer-aided dispatch system and new radios for the Bureau of Capitol Security.

Ref. #: 638 - P131

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$23,971	\$0	\$0
GENERAL FUND TOTAL	\$23,971	\$0	\$0

Justification:

Provides funds to maintain IMC Computer Aided Dispatch and new radios for Capital Security. Prior to this past fall, Capital Security had a paper based records system. A grant from MEMA paid for the purchase of computers, cruiser based mobile data terminals, IMC Dispatch and licensing fees.

Criminal Justice Academy 0290

Initiative: Provides funding for the increased cost of gasoline.

Ref. #: 639 - P131

Committee Vote: in as is AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$7,929	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$7,929	\$0	\$0

Justification:

The current budget is based on \$1.75 per gallon for gas. The projected price per gallon for the biennium is \$2.75 per gallon. These changes are net of a reduction in traveling (where appropriate) and a 10% reduction in gallons consumed by the State Police.

Drug Enforcement Agency 0388

Initiative: Provides funding from the Fund for a Healthy Maine to the Maine Drug Enforcement Agency for the pilot program for the return of unused prescription drugs.

Ref. #: 640 - P131

Committee Vote: in as is AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$150,000	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$150,000	\$0	\$0

Justification:

2007 Private and Special Law Chapter 27 provided \$150,000 on a one-time basis for initial funding of the Pilot Program for the Return of Unused Prescription Drugs. The allocation was made to the Bureau of Health, to be transferred to the Maine Drug Enforcement Agency. However, those funds were not transferred prior to the end of fiscal year 2008, and the funding lapsed back to the Fund for a Healthy Maine. This request allocates the one-time funds directly to the Maine Drug Enforcement Agency.

Drug Enforcement Agency 0388

Initiative: Adjusts funding for anticipated changes in utility costs.

Ref. #: 641 - P132

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$2,100	\$0	\$0
GENERAL FUND TOTAL	\$2,100	\$0	\$0

Justification:

Adjusts funding for anticipated changes in utility costs. These changes are based on figures provided by BGS.

Emergency Medical Services 0485

Initiative: Reduces funding by transferring expenditures to the Federal Expenditures Fund and Other Special Revenue Funds. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 642 - P132

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$100,515)	\$0	\$0
GENERAL FUND TOTAL	(\$100,515)	\$0	\$0

Justification:

The Maine Emergency Medical Services Bureau will fund certain expenditures, including contracts for data services, attorney general fees, and general operating expenses, to the Federal and Other Special Revenue Funds. Doing so means that those funds will not be available for their original purpose. This will result in delays in Phase III of the conversion from paper reporting to the Electronic Run Reporting system. Phase III would make electronic information available on-line to emergency responders and to the public.

Fire Marshal - Office of 0327

Initiative: Provides funding for the increased cost of gasoline.

Ref. #: 643 - P132

Committee Vote: in as is AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$106,058	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$106,058	\$0	\$0

Justification:

The current budget is based on \$1.75 per gallon for gas. The projected price per gallon for the biennium is \$2.75 per gallon. These changes are net of a reduction in traveling (where appropriate) and a 10% reduction in gallons consumed by the State Police.

Licensing and Enforcement - Public Safety 0712

Initiative: Eliminates one Office Assistant II position and one Public Safety Inspector I position associated with tournament gaming.

Ref. #: 647 - P133

Committee Vote: in as is AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0.000	0.000
Personal Services	(\$88,172)	\$0	\$0
All Other	(\$8,600)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$96,772)	\$0	\$0

Justification:

These positions were established in 2007 Public Law Chapter 205 for the purpose of enforcing tournament game laws. There is not enough revenue being generated to fund these positions.

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$89,544)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$167,215	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$77,671	\$0	\$0

SECTION TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$4,735,923	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$197,885	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$4,933,808	\$0	\$0

GENERAL FUND TOTAL \$0 \$0 \$0

State Prison 0144

Initiative: RECLASSIFICATIONS

Ref. #: 706

Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$31,889	\$0	\$0
All Other	(\$31,889)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

**CORRECTIONS, DEPARTMENT OF
DEPARTMENT TOTALS**

	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0	\$0

→ **DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

Administration - Maine Emergency Management Agency 0214

Initiative: RECLASSIFICATIONS

Ref. #: 707

Committee Vote: in as is AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$5,516	\$0	\$0
All Other	(\$5,516)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Ref. #: 708

Committee Vote: in as is AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$5,516	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$5,516	\$0	\$0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	\$0	\$0	\$0
FEDERAL EXPENDITURES FUND	\$5,516	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$5,516	\$0	\$0

→ PUBLIC SAFETY, DEPARTMENT OF

FHM - Fire Marshal 0964

Initiative: RECLASSIFICATIONS

Ref. #: 741

Committee Vote: in as is AFA Vote: _____

FUND FOR A HEALTHY MAINE	2008-09	2009-10	2010-11
Personal Services	\$30,302	\$0	\$0
All Other	\$247	\$0	\$0
FUND FOR A HEALTHY MAINE TOTAL	\$30,549	\$0	\$0

Fire Marshal - Office of 0327

Initiative: RECLASSIFICATIONS

Ref. #: 742

Committee Vote: in as is AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$361,478	\$0	\$0
All Other	\$2,500	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$363,978	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF
DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
FUND FOR A HEALTHY MAINE	\$30,549	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$363,978	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$394,527	\$0	\$0

