

Sec. A-40. Appropriations and allocations.

The following appropriations and allocations are made.

TREASURER OF STATE, OFFICE OF

Debt Service - Treasury 0021

Initiative: Adjusts debt service funding levels during fiscal year 2012-13.

Ref. #: 465 One Time Committee Vote: _____ AFA Vote: _____

GENERAL FUND	2012-13	2013-14	2014-15
All Other	(\$1,383,828)	\$0	\$0
GENERAL FUND TOTAL	(\$1,383,828)	\$0	\$0

TREASURER OF STATE, OFFICE OF

DEPARTMENT TOTALS	2012-13	2013-14	2014-15
GENERAL FUND	(\$1,383,828)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$1,383,828)	\$0	\$0

PART E

Sec. E-1. 5 MRSA §1522, §1, as enacted by PL 2011, c. 380, Pt. X, §1 is amended to read:

1. Reserve for retirement benefits established. The State Controller shall, at the close of ~~each of the~~ fiscal years ending June 30, 2012, ~~June 30, 2013 and June 30, 2014~~, as the next priority after the transfers authorized pursuant to section 1507 and section 1511, and after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made, transfer from the available balance in the unappropriated surplus of the General Fund up to \$15,000,000 per year to a reserve account within the General Fund established for the purpose of providing the resources to fund retirement payments for retired state employees and teachers.

Sec. E-2. 5MRSA §1522, §2 as enacted by PL 2011, c. 380, Pt. X, §1 is repealed.

Sec. E-3. 5 MRSA §1536, sub-§1, as amended by PL 2011, c. 692 is further amended to read:

§1536. Excess General Fund revenues

1. ~~Fourth~~ Third priority reserve. The State Controller shall, as the ~~4th~~3rd priority after the transfers to the State Contingent Account pursuant to section 1507, ~~and~~ and the transfers to the Loan Insurance Reserve pursuant to section 1511 ~~and the transfers pursuant to section 1522~~ at the close of each fiscal year, transfer from the unappropriated surplus of the General Fund an amount equal to the amount available from the unappropriated surplus after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made as follows:

- A. ~~Thirty-five~~ Forty-eight percent to the stabilization fund;
- B. ~~Thirteen percent to the Retirement Allowance Fund established in section 17251;~~
- C. Thirteen percent to the Reserve for General Fund Operating Capital;
- D. Nine percent to the Retiree Health Insurance Internal Service Fund established in section 1519 to be used solely for the purpose of amortizing the unfunded actuarial liability associated with future health benefits;
- E. Ten percent to the Capital Construction and Improvements Reserve Fund established in section 1516-A; and
- F. Twenty percent to the Tax Relief Fund for Maine Residents established in section 1518-A.

Sec. E-4. PL 2011, c. 380, Pt. T. §22 is amended to read”

Sec. T-22. Noncumulative cost-of-living adjustment retirement benefit. No later than August 15th in 2012, ~~2013 and 2014~~, the Executive Director of the Maine Public

Employees Retirement System shall notify the State Controller of the total cost of providing a payment to retirees that would otherwise have been eligible for a cost-of-living adjustment but for the operation of the suspension of the annual cost-of-living adjustments pursuant to the provisions of this Part. The benefit calculation is equal to the change in the Consumer Price Index for the year ending in June of the prior calendar year, up to a maximum of 3%, but in no case may the change be less than 0%, multiplied by the retirement benefit payments up to a maximum of \$20,000 for the one-year period ending August 31st of that calendar year, excluding any retirement benefits calculated pursuant to this section. The State Controller shall transfer the amounts calculated pursuant to this section up to the balance available in the reserve for retirement benefits established in the Maine Revised Statutes, Title 5, section 1522 no later than September 1st of each year. If the balance in the reserve for retirement benefits on that date is not sufficient to fully fund the total benefits calculated, the State Controller shall transfer the amount that is available in the reserve to the Maine Public Employees Retirement System and the executive director shall proportionally reduce the benefit calculated by this section to equal the amount of funding provided.

Sec. E-5. PL 2011, c. 380, Pt. QQ, §1, as amended by PL 2011, c. 657, Pt. C, §1 is further amended to read:

Sec. QQ-1. Transfer from unappropriated surplus at close of fiscal years 2011-12 and 2012-13. Notwithstanding any other provision of law, at the close of fiscal year 2011-12 and fiscal year 2012-13, the State Controller shall transfer up to \$25,000,000 from the unappropriated surplus of the General Fund to the Department of Health and Human Services, Medical Care - Payments to Providers account in the General Fund after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made and as the first priority after the transfers required pursuant to the Maine Revised Statutes, Title 5, sections 1507, 1511 and 1522 and before the transfers required pursuant to Title 5, section 1536.

Sec. E-6. PL 2011, c. 657, Pt. C, §2 is repealed.

Sec. E-7. Transfer of funds; Reserve for Retirement Costs. Notwithstanding any other provision of law, on or before June 30, 2013, the State Controller shall transfer \$2,870,709 from the Reserve for Retirement Costs to the General Fund unappropriated surplus.

SUMMARY

PART E

This Part does the following:

It eliminates the transfer of up \$15,000,000 per year to a reserve account within the General Fund established for the purpose of providing the resources to fund retirement payments

for retired state employees and teachers in fiscal years 2012-13 and 2013-14 and the related provisions related to the cost-of-living retirement benefit.

It repeals the requirement that any balance remaining in the reserve account to fund retirement payments be transferred to the Maine Budget Stabilization Fund at the end of fiscal year 2014-15.

It revises the distribution of available balances in the unappropriated surplus of the General Fund after all required deductions and adjustments are made at the end of a fiscal year.

It repeals the provisions that would have authorized a transfer of up to \$25,000,000 from the unappropriated surplus and the transfer of excess revenue from the Oxford Casino at the end of fiscal year 2012-13 to the Department of Health and Human Services to pay hospital settlements.

It requires the State Controller to transfer \$2,870,709 from the Reserve for Retirement Costs to General Fund unappropriated surplus before June 30, 2013.

PART I

Sec. I-1. Transfer from Maine Budget Stabilization Fund; General Fund unappropriated surplus. Notwithstanding any other provision of law, the State Controller shall transfer \$40,000,000 during fiscal year 2012-13 from the Maine Budget Stabilization Fund to the General Fund unappropriated surplus.

Sec. I-2. Transfer from Reserve for General Fund Operating Capital; General Fund unappropriated surplus. Notwithstanding any other provision of law, the State Controller shall transfer \$17,100,000 during fiscal year 2012-13 from the Reserve for General Fund Operating Capital to the General Fund unappropriated surplus.

SUMMARY PART I

This Part does the following:

It directs the State Controller to transfer \$40,000,000 during fiscal year 2012-13 from the Maine Budget Stabilization Fund to the General Fund unappropriated surplus.

It directs the State Controller to transfer \$17,100,000 during fiscal year 2012-13 from the Reserve for General Fund Operating Capital to the General Fund unappropriated surplus.