

MAINE STATE LEGISLATURE

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(EMERGENCY)
New Draft of: H. P. 254, L. D. 323
(New Title)

ONE HUNDRED AND EIGHTH LEGISLATURE

Legislative Document

No. 1413

H. P. 1255

House of Representatives, April 7, 1977

Reported by Mr. LeBlanc from Committee on Appropriations and Financial Affairs and printed under Joint Rules No. 2.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SEVENTY-SEVEN

AN ACT Making Additional Appropriations from the General Fund for the Current Fiscal Year Ending June 30, 1977, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government.

Emergency preamble. Whereas, Acts 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 departments and institutions will become due and payable before July 1, 1977; 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:

Sec. 1. Appropriations from General Fund. In order to provide for necessary expenditures of government and other purposes for the fiscal year ending June 30, 1977, the following sums, or as much thereof as shall severally be found necessary, as designated in the following tabulations, are appropriated out of any moneys in the General Fund not otherwise appropriated.

**APPROPRIATIONS
FROM
GENERAL FUND**

1976-77

Executive Department

State Planning Office

Personal Services (−1) \$ (4,072)
Position transferred to Bureau of the Budget.

Department of Finance and Administration

Bureau of the Budget

Personal Services (1) 4,072
Position transferred from State Planning
Office to perform work more appropriately
done in this office.

Bureau of Public Improvements

Buildings and Grounds Operations

All Other 65,320
Provides additional funds for the State Office
Building fuel account.

Legislative Department

Apportionment Commission

All Other 3,000
Provides additional funds necessary for com-
pletion of report.

Department of Attorney General

All Other 11,500
Provides additional funds for defense of
Indian claims litigation.

Treasury Department

Debt Service

All Other 995,000
Provides additional funds to meet increased
debt obligations resulting from the issuing
of 10-year bonds instead of 20-year bonds.

Department of Agriculture

Consumer Services

Dog Licensing Program

All Other 50,000
Provides additional funds for boarding costs
of dogs as required by law.

Department of Mental Health and Corrections

Augusta Mental Health Institute

All Other	73,169
Provides funds for payment of 2 judgments against the State.	

State Board of Assessment Review

All Other	2,000
Provides funds for expenses of the board.	

TOTAL SECTION 1.	\$1,199,989
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Sec. 2. 12 MRSA § 1015, sub-§ 2, as enacted by PL 1975, c. 764, § 3, is amended to read:

2. **Tax rate.** The excise tax on parcels of softwood forest land shall be ~~56¢~~ ~~28¢~~ per acre for the year ~~1976~~ 1977. The excise tax on parcels of mixed wood forest land shall be ~~28¢~~ ~~14¢~~ per acre for the year ~~1976~~ 1977.

Sec. 3. **Appropriation.** There is appropriated from the General Fund for the year ending June 30, 1977, the sum of \$1,291,944 to be credited to the Budworm Suppression Fund and to be expended by the Department of Conservation, Bureau of Forestry, for spruce budworm suppression and control. Any unexpended balance of this appropriation and funds previously appropriated by the private and special laws of 1973, chapter 194, and the public laws of 1975, chapters 162 and 764, shall not lapse, but shall remain a continuing carrying account for these purposes. The breakdown shall be as follows:

**APPROPRIATIONS
FROM
GENERAL FUND
1976-77**

DEPARTMENT OF CONSERVATION

Spruce Budworm Control

Unallocated	\$1,291,944
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Sec. 4. **Appreciation.** There is appropriated from the General Fund for the year ending June 30, 1977, to the Department of Conservation, Bureau of Forestry, the sum of \$100,000 to be credited to the Budworm Suppression Fund to be expended by the Bureau of Forestry to provide for research grants pursuant to the Revised Statutes, Title 12, section 1027. These funds shall not lapse, but shall remain a continuing carrying account for these purposes. The breakdown shall be as follows:

**APPROPRIATIONS
FROM
GENERAL FUND
1976-77**

DEPARTMENT OF CONSERVATION

Spruce Budworm Control
Unallocated

\$ 100,000

TOTAL GENERAL FUND —

SECTIONS 3 and 4

\$1,391,944

Sec. 5. 12 MRSA § 1024, sub-§ 6, is enacted to read:

6. Report. He shall each year after the completion of a spray program make a complete financial review of such program, and make a full report to the next session of the Legislature. Such report shall include, but not be limited to, source of funding, private, state or federal, and total expenditures broken down in the following categories: Chemicals, aircraft, research and other appropriate categories. Also to be included shall be a statement of any remaining balance by source, private, state and federal.

Sec. 6. PL 1973, c. 628, § 20, last sentence, as enacted by P & SL 1973, c. 220, § 2, is repealed as follows:

~~Any balance remaining June 30, 1974 shall not lapse but shall be carried forward to be expended for the same purposes~~

Sec. 7. P & SL 1975, c. 78, § 19, last ¶ under the caption "ENVIRONMENTAL PROTECTION," as enacted by P & SL 1975, c. 147, Pt. C, § 19, is amended to read:

Any unencumbered balance remaining June 30, 1976 shall not lapse but shall carry forward to June 30, ~~1977~~ 1979 to be expended for the same purpose.

Emergency clause. In view of the emergency cited in the preamble, this Act shall take effect when approved.

STATEMENT OF FACT

Section 1 of this bill provides additional funds for balance of the 1976-77 fiscal year to cover obligations.

Section 2 sets the excise tax on forest land to fund the landowners' share of spruce budworm spray program amounting to \$1,391,944 in 1976-77.

Sections 3 and 4 appropriate funds collected under section 2.

Section 5 requires the forest insect manager to make a full report each year to the Legislature upon completion of the spruce budworm spray programs.

Section 6 allows unused funds from the Bureau of Public Lands to lapse.

Section 7 allows funds remaining from the Tamano oil spill to carry, pending final disposition of claims.