

MAINE STATE LEGISLATURE

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1 SECOND REGULAR SESSION
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE
4

5 Legislative Document

No. 2165

6
7 H.P. 1636

House of Representatives, March 7, 1984

8 Submitted by the Department of Conservation pursuant to Joint Rule 24.
9 Referred to the Committee on Appropriations and Financial Affairs. Sent
up for concurrence and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Rolde of York.

11 Cosponsors: Representative Hall of Sangerville, Senator Diamond of
Cumberland and Senator Kany of Kennebec.

12 STATE OF MAINE
13

14 IN THE YEAR OF OUR LORD
15 NINETEEN HUNDRED AND EIGHTY-FOUR
16

17 AN ACT to Provide Operating Funds for the
18 Spruce Budworm Management Program and to Assure
19 an Accurate Accounting of its Costs.
20

21 Be it enacted by the People of the State of Maine as
22 follows:

23 Sec. 1. 12 MRSA §8426, sub-§5 is enacted to
24 read:

25 5. Treasurer of State; temporary loan. The Trea-
26 surer of State, upon the recommendation of the direc-
27 tor, as approved by the Governor, may negotiate a
28 temporary loan or loans in anticipation of excise
29 taxes to be raised for the subsequent program year,
30 in accordance with Title 5, section 150. The loan ap-
31 plication shall be initiated by the Treasurer of
32 State so that the funds derived therefrom are availa-
33 ble for expenditure by October 1st.

1 The moneys borrowed shall be used to fund the program
2 during the preproject period beginning October 1st
3 and ending on April 30th.

4 Any amount borrowed pursuant to this section shall be
5 repaid with interest from the amount collected as a
6 preproject excise tax under section 8427, subsection
7 2. In the event that no such tax is collected or that
8 the tax is insufficient to cover the amount borrowed,
9 the amount shall be collected, on a per-acre basis,
10 from owners of lands entered in the Spruce Fir Forest
11 Protection District during the program year for which
12 the amount was borrowed.

13 Sec. 2. 12 MRSA §8427, sub-§3, ¶E, as repealed
14 and replaced by PL 1981, c. 278, §10, is amended to
15 read:

16 E. The director shall certify in writing to the
17 State Tax Assessor, by September 1st, the
18 post-project shared tax rates and the
19 post-project spray tax rate, together with the
20 number of acres within each ownership which are
21 subject to those taxes. The director's certifica-
22 tion shall be based on the latest available actu-
23 al cost data, as well as an estimate of outstand-
24 ing obligations, including personnel costs of the
25 budworm management program. Final actual costs
26 shall be determined on or before December 30th.
27 Any underestimates or overestimates resulting
28 from this paragraph shall be credited or debited
29 to the following year's program as appropriate.
30

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STATEMENT OF FACT

2 The program year for the Spruce Budworm Suppres-
3 sion Program begins in October of the calendar year
4 preceding the actual spray operation. During this
5 time, the planning, inventory and identification of
6 parcels to be sprayed are begun. The excise tax which
7 funds the program is not collected until April of the
8 calendar year in which the spray operation is per-
9 formed. This bill allows those planning inventory and
10 identification functions to begin by paying for them
11 with borrowed money and repaid from the excise tax
12 when it is collected.

13 Section 2 allows the State to recover and reim-
14 burse any under or over collections associated with
15 end-of-program year cost estimates. From 1981 to
16 1983, the State underestimated the cost of Personal
17 Services by \$50,746. Final figures on Personal Ser-
18 vices' costs are not available until 2 months after
19 the director is required by statute to certify to the
20 State Tax Assessor the cost of the program.

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