

MAINE STATE LEGISLATURE

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9DK
R. of S.

L.D. 2214

(Filing No. S-716)

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STATE OF MAINE
SENATE
114TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to H.P. 1602, L.D. 2214, Bill, "An Act to Clarify the Role of the Board of Environmental Protection"

Amend the amendment by inserting after the first indented paragraph after the title the following:

'Further amend the bill by striking out all of section 3 and inserting in its place the following:

'Sec. 3. 5 MRSA §12004-D, sub-§2, as amended by PL 1989, c. 503, Pt. A, §8, is further amended to read:

2. Board of Environmental Protection Legislative Per Diem 38 MRSA §261 §341-A'

Further amend the bill in section 13 by striking out all of the amending clause (page 7, line 21 in L.D.) and inserting in its place the following:

'Sec. 13. 38 MRSA §§341-A to 341-G are enacted to read:'

Further amend the amendment by inserting before the last indented paragraph on page 3 (page 3, line 51 in amendment) the following:

'Further amend the bill in section 13 by inserting after that part designated "§341-F." the following:

'§341-G. Board of Environmental Protection Fund

There is established the Board of Environmental Protection Fund to be used by the board as a nonlapsing fund to carry out its duties under this Title. Notwithstanding any other provision

SENATE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1602, L.D. 2214

2 of law, the funds identified in subsection 1 shall transfer
3 annually to the Board of Environmental Protection Fund an amount
4 not to exceed \$150,000. Money in the Board of Environmental
5 Protection Fund may only be expended in accordance with
6 allocations approved by the Legislature.

7 1. Transfer funds. The amount transferred from each fund
8 must be proportional to that fund's contribution to the total
9 special revenues received by the department under chapter 2,
10 subchapter 2; section 551; section 569; and chapter 13,
11 subchapter 4. Any funds received by the board from the General
12 Fund must be credited towards the amount owed by the Maine
13 Environmental Protection Fund, chapter 2, subchapter 2.

14 2. Investment of funds. Money in the Board of
15 Environmental Protection Fund not currently needed to meet the
16 obligations of the board in the exercise of its responsibilities
17 under this Title must be deposited with the Treasurer of State to
18 the credit of the fund and may be invested as provided by law.
19 Interest on these investments must be credited to the fund.' '

20
21 Further amend the amendment by striking out all of section
22 B-296 and inserting in its place the following:

23
24 'Sec. B-296. Appropriation. The following funds are
25 appropriated from the General Fund to carry out the purposes of
26 this Act.

27
28
29 **1990-91**

30 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

31 **Board of Environmental Protection**

32		
33		
34	Positions	(1.0)
35	Personal Services	\$34,500
36	All Other	28,000
37		
38	TOTAL	<u>\$62,500</u>

39 Provides for a Clerk Typist III position and
40 general operating funds. This appropriation
41 is intended to establish a separate General
42 Fund account for the board.

43 **Administration**

44		
45		
46	Positions	(-1.0)
47	Personal Services	(\$34,500)
48	All Other	(28,000)
49		
50	TOTAL	<u>(\$62,500)</u>

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SENATE AMENDMENT " B " to COMMITTEE AMENDMENT "A" to H.P. 1602,
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2 Provides for the transfer of a Clerk Typist
3 III position and operating funds to the
4 Board of Environmental Protection Account.

6 **Department-wide**

8 All Other (\$5,224)

10 Provides for the deappropriation of funds
11 for anticipated certified mail savings and a
12 reduction in rule-making expenses.

14 **DEPARTMENT OF ENVIRONMENTAL PROTECTION**
15 **TOTAL** (\$5,224)

16 **Sec. B-297. Allocation.** The following funds are allocated from
17 Other Special Revenue to carry out the purposes of this Act.

20 **1990-91**

22 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

24 **Board of Environmental Protection Fund**

26 Positions (1.0)
27 Personal Services \$52,028
28 All Other 15,150
29 Capital Expenditures 9,500

30 Provides funds for an Executive Director,
31 general operating expenses, additional per
32 diem and rule-making expenses and computer
33 equipment.

36 **DEPARTMENT OF ENVIRONMENTAL PROTECTION**
37 **TOTAL** \$76,678'

38 Further amend the amendment by striking out all of the
39 fiscal note and inserting in its place the following:

42 **FISCAL NOTE**

44 Enactment of this bill will result in:

46 1. A General Fund appropriation to the Board of
47 Environmental Protection within the Department of Environmental
48 Protection in the amount of \$62,500 for fiscal year 1990-91.
49 This appropriation provides funds for a Clerk Typist III
50 position, general operating expenses and additional per diem and
51 rule-making expenses. This appropriation is intended to
52 establish a separate account for the board;

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SENATE AMENDMENT " B" to COMMITTEE AMENDMENT "A" to H.P. 1602,
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2 2. A General Fund deappropriation to the Department of
Environmental Protection, Administration Account #01530.1, in the
4 amount of \$62,000 for fiscal year 1990-91. This deappropriation
provides for the transfer of funds currently budgeted for a Clerk
6 Typist III position, per diem, printing, travel, advertising,
postage and rent. This deappropriation will allow the transfer
8 of funds from Administration Account #01530.1010 to the newly
established account for the board;

10
 3. A General Fund deappropriation to the Department of
12 Environmental Protection in the amount of \$5,224 for fiscal year
1990-91. This deappropriation includes budget reductions for
14 anticipated certified mail savings and a reduction in rule-making
expenses;

16
 4. An increase in dedicated revenue to the Board of
18 Environmental Protection Fund in the amount of \$150,000 for
fiscal year 1990-91. This additional revenue will be derived
20 from the proposed transfer of funds specified in the bill; and

22 5. An allocation to the Department of Environmental
Protection, Board of Environmental Protection Fund, in the amount
24 of \$76,678 for fiscal year 1990-91. This allocation will provide
funds for an executive director and other operating expenses.'

26

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STATEMENT OF FACT

30

32 This amendment establishes the Board of Environmental
Protection Fund and replaces the appropriation section and the
fiscal note.

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36

38 (Senator PEARSON)
SPONSORED BY: *Michael Pearson*

40

COUNTY: Penobscot *JB*

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