

MAINE STATE LEGISLATURE

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115th MAINE LEGISLATURE

FIRST REGULAR SESSION-1991

Legislative Document

No. 223

S.P. 121

In Senate, February 1, 1991

Reference to the Committee on State and Local Government suggested and ordered printed.

A handwritten signature in cursive script that reads "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

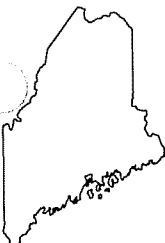
Presented by President PRAY of Penobscot.

Cosponsored by Representative GOULD of Greenville, Representative HUSSEY of Milo and Senator BOST of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-ONE

An Act to Amend Revenue Sharing.



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

2
4 **Sec. 1. 30-A MRSA §5681, sub-§5**, as affected by PL 1989, c. 104, Pt. C, §§8 and 10, is amended to read:

6 **5. Treasurer of State.** An amount equal to 5.1% of the
8 receipts from the taxes imposed under Title 36, Parts 3 and 8,
10 and credited to the General Fund, plus an amount equal to
12 \$237,000 of the receipts from the tax imposed under Title 36,
14 Part 3, plus an amount equal to 5.1% of fines collected under
Title 38, plus an amount equal to 5.1% of the receipts from the
Maine Environmental Protection Fund deposited with the Treasurer
of State, shall must be transferred by the Treasurer of State to
the Local Government Fund on the first day of each month.

16 The Treasurer of State shall distribute the balance in the Local
18 Government Fund on the 20th day of each month.

20 **Sec. 2. 38 MRSA §351**, as amended by PL 1987, c. 787, §5, is
further amended to read:

22 **§351. Maine Environmental Protection Fund**

24 The Maine Environmental Protection Fund, referred to in this
26 subchapter as the fund, is established as a nonlapsing fund to
supplement licensing programs administered by the Department of
28 Environmental Protection. All fees established under this
subchapter ~~shall be~~ are credited to the fund, and administrative
30 expenses directly related to licensing programs ~~shall must~~ be
charged to the fund, except that in fiscal year 1984, \$41,250
32 ~~shall must~~ be deposited in the General Fund.

34 Money in the fund not currently needed to meet the
obligations of the department in the exercise of its
36 responsibilities under its licensing programs ~~shall must~~ be
deposited with the Treasurer of State to the credit of the fund
and may be invested ~~in~~ as provided by statute law. Interest on
38 these investments ~~shall must~~ be credited to the fund. Each
month, the Treasurer of State shall transfer 5.1% of the funds
deposited during the previous month to the Local Government Fund
40 established in Title 30-A, section 5681.

42 Money in the fund may ~~only~~ be expended only in accordance
44 with allocations approved by the Legislature. These allocations
shall ~~must~~ be based on estimates of the actual costs necessary
46 for the department to administer licensing and permitting
programs. Allowable expenditures include Personal Services, All
48 Other and Capital Expenditures associated with prelicense or
permit activities such as application reviews, public hearings
50 and appeals, the actual license or permit processing activities
and associated post-license or permit compliance activities

2 required to assure continued licensee or permittee compliance,
and enforcement activities as a result of license or permit
4 noncompliance.

6 **STATEMENT OF FACT**

8 This bill requires that 5.1% of all fines collected from
violations of the Maine Revised Statutes, Title 38 be transferred
10 to the Local Government Fund. It also requires the transfer of
surplus funds from the Maine Environmental Protection Fund to the
12 Local Government Fund. An amount equal to 5.1% of the fund's
monthly receipts not needed for current operations would be
14 transferred to the Local Government Fund. The Maine
Environmental Protection Fund receives fees from applicants for
16 costs incurred in reviewing license and permit applications.