

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44  
46

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
115TH LEGISLATURE  
FIRST REGULAR SESSION

HOUSE AMENDMENT "F" to H.P. 192, L.D. 274, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Year Ending June 30, 1991 and to Change Certain Provisions of the Law"

Amend the bill by inserting before the emergency clause a new Part to read:

PART GG

Sec. GG-1. 20-A MRSA §2, sub-§3, as repealed and replaced by PL 1989, c. 878, Pt. A, §43, is amended to read:

3. Mandated programs. Any legislation containing a state mandate enacted by the Legislature after January 1, 1989, which requires additional funding, shall must contain provisions for full funding by the State. The funding requirements to implement the mandate must be identified. Any such legislation for which full state funding is not provided may not be enacted.

State mandates are defined as any state-initiated or statutory action that requires a local school administrative unit to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court or any legislation necessary to comply with a federal mandate.

Any legislation or rule containing a state mandate enacted after January 1, 1984 may be eliminated or deferred by action of a municipality's legislative body or in school units in which another body finally approves the school budget by action of that body, until such time as the State restores state aid to education to the levels required by the laws in effect on January

H  
O  
U  
S  
E  
A  
M  
E  
N  
D  
M  
E  
N  
T

1, 1990. These mandates include, but are not limited to, minimum pupil-teacher ratios, guidance programs, gifted and talented programs, music programs and art programs.

This subsection is repealed on June 30, 1994, unless reviewed and extended by specific Act of the Legislature.

Sec. GG-2. 38 MRSA §451-A, sub-§1-A, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §52 and c. 926, §1, is repealed and the following enacted in its place:

1-A. Time schedule for salt and sand-salt storage program. An owner or operator of a salt or sand-salt storage area is not in violation of any ground water classification or reclassification adopted on or after January 1, 1980, at any time prior to October 1, 1999, with respect to discharges to the ground water from those facilities, if by that time the owner or operator has completed all steps then required to be completed by the schedules set forth in this subchapter. The commissioner shall administer this schedule according to the project priority list adopted by the board pursuant to section 411 and the provisions of this subsection.

A. Preliminary plans and engineers' estimates must be completed and submitted to the Department of Transportation by the following dates:

(1) For Priority 1 and 2 projects - January 1992;

(2) For Priority 3 project - January 1993;

(3) For Priority 4 project - January 1994; and

(4) For Priority 5 project - January 1995.

B. Arrangements for administration and financing must be completed within 12 months of the dates established in paragraph A for each priority category.

C. Detailed engineering and final plan formulation must be completed within 24 months of the dates established in paragraph A for each priority category.

D. Review of final plans with the Department of Transportation must be completed and construction commenced within 36 months of the dates established in paragraph A for each priority category. The Department of Transportation shall consult with the commissioner in reviewing final plans.

E. Construction must be completed and in operation on or before January 1, 1999.

2 In no case may violations of the lowest ground water  
4 classification be allowed. In addition, no violations of any  
6 ground water classifications adopted after January 1, 1980, may  
be allowed for more than 3 years from the date of an offer of a  
state grant for the construction of those facilities or after  
January 1, 1999, whichever is earlier.

8 The department may not issue time schedule variances under  
10 subsection 1 to owners or operators of salt or sand-salt storage  
areas.

12 An owner or operator of a salt or sand-salt storage area who is  
14 in compliance with this section is exempt from the requirements  
of licensing under section 413, subsection 2-D.

16 An owner or operator is not in violation of a schedule  
18 established pursuant to this subsection if the owner or operator  
is eligible for a state grant to implement the schedule and the  
state grant is not available.'

20 Further amend the amendment by relettering the Parts to read  
22 consecutively.

24  
26 **STATEMENT OF FACT**

28 This amendment provides that any legislation or rule  
30 containing a mandate enacted after January 1, 1984 may be  
32 eliminated or deferred until the State restores state aid to  
34 education to the levels required by the laws in effect on January  
36 1, 1990. This amendment also provides that an owner or operator  
of a salt or sand-salt storage area is not in violation of any  
ground water classification adopted on or after January 1, 1980,  
at any time prior to October 1, 1999, if the owner or operator  
completes the steps set forth in the amendment.

Filed by Rep. Strout of Corinth  
Reproduced and distributed under the direction of the Clerk of the  
House  
2/7/91 (Filing No. H-16)

H  
O  
U  
S  
E  
A  
M  
E  
N  
D  
M  
E  
N  
T