

# MAINE STATE LEGISLATURE

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L.D. 1985

(Filing No. H-845 )

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8 STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
10 115TH LEGISLATURE  
SECOND SPECIAL SESSION

12  
14 HOUSE AMENDMENT "A" to HOUSE AMENDMENT "FF" to H.P. 1402,  
L.D. 1985, Bill, "An Act to Make Supplemental Appropriations and  
16 Allocations for the Expenditures of State Government for the  
Fiscal Years Ending June 30, 1992 and June 30, 1993 and to Change  
18 Certain Provisions of Law"

20 Amend the amendment in Part OO by inserting before section  
OO-1 the following:

22 'Sec. OO-1. 2 MRSA §6, sub-§2, as repealed and replaced by PL  
1989, c. 878, Pt. A, §3, is amended to read:

24  
26 2. Range 90. The salaries of the following state officials  
and employees shall be are within salary range 90:

28 Superintendent of Banking;

30 Bureau of Consumer Credit Protection Superintendent;

32 State Tax Assessor;

34 Superintendent of Insurance;

36 Associate Commissioner for Programs, Department of Mental  
Health and Mental Retardation;

38 Associate Commissioner of Administration, Department of  
40 Mental Health and Mental Retardation; and

42 Associate Commissioner for Institutional Management; and

44 Executive Director, Maine Waste Management Agency.

46 Further amend the amendment by inserting in Part OO after  
48 section OO-13 the following:

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'Sec. OO-14. 32 MRSA §1734, sub-§2, as enacted by PL 1989, c.  
849, §1, is amended to read:

2. Health and safety requirements; feasibility;  
post-consumer materials. The manufacturer, supplier or  
distributor petitions the agency board for an exemption for a  
particular package or packaging component and the agency board  
grants an exemption for one or more of the following reasons.

A. The package or packaging component contains lead,  
cadmium, mercury or hexavalent chromium added in the  
manufacturing, forming, printing or distribution process in  
order to comply with health or safety requirements of state  
or federal law.

B. There is no feasible alternative to the use of lead,  
cadmium, mercury or hexavalent chromium in the package or  
packaging component. For the purposes of this section, "no  
feasible alternative" means a use in which the regulated  
substance is essential to the protection, safe handling or  
function of the package's contents.

C. The addition of post-consumer materials causes the  
package or packaging component to exceed the maximum  
concentration levels set forth in section 1733, subsection 3.

For packages or packaging components exempted under paragraph A  
or B, a 2-year exemption may be granted and that exemption may be  
renewed for an additional 2 years. An exemption granted under  
paragraph C expires ~~4 years after the effective date of this~~  
~~chapter~~ April 1, 1996.'

Further amend the amendment in Part OO in section OO-19 in  
the first paragraph in the last line (page 8, line 3 in  
amendment) by striking out the following: "July 1, 1992" and  
inserting in its place the following: 'January 1, 1992'

Further amend the amendment in Part OO in section OO-70 in  
that part designated "§2202." in the first paragraph in the last  
line (page 28, line 43 in amendment) by striking out the  
following: "July 1, 1992" and inserting in its place the  
following: 'January 1, 1992'

Further amend the amendment in Part OO by striking out all  
of sections OO-76 to OO-79 and inserting in their place the  
following:

'Sec. OO-76. Department of Environmental Protection assumption of  
planning and recycling responsibilities; transition. All existing

2 positions at the Maine Waste Management Agency are terminated on  
January 1, 1992.

4 The Department of Environmental Protection shall administer  
6 all rules adopted by the former Maine Waste Management Agency  
until the rules have been amended or repealed by the Board of  
8 Environmental Protection. Certifications issued by the former  
Maine Waste Management Agency under the Maine Revised Statutes,  
10 Title 36, section 2526, subsection 3 or section 5219-D,  
subsection 3 remain valid.

12 **Sec. OO-77. Dedication of savings.** Any revenues saved as a  
14 result of this Part that are not appropriated for other purposes  
by this Part must be dedicated equally to state municipal revenue  
16 sharing pursuant to the Maine Revised Statutes, Title 30-A,  
section 5681, subsection 4 and general purpose aid to local  
18 schools.

20 **Sec. OO-78. Appropriation.** The following funds are  
appropriated from the General Fund to carry out the purposes of  
22 this Part.

1992-93

24 **ENVIRONMENTAL PROTECTION,**  
26 **DEPARTMENT OF**

28 **Office of Planning, Recycling**  
**and Waste Reduction**

30	Positions	(2.0)
32	Personal Services	\$84,738
	All Other	215,262

34 Provides funds for a Program Manager and a  
36 Clerk Typist II to administer financial and  
38 technical assistance to municipalities for  
recycling and waste reduction.

40 **DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
42 **TOTAL**

\$300,000

44 **EDUCATION, DEPARTMENT OF**

46 **General Purpose Aid for Local Schools**

48 All Other \$600,000

50 Provides for an appropriation of funds to  
offset the reduction of the foundation and

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2	minimum education subsidy for fiscal year		
	1991-92 contained in Part A, section 1.		
4	<b>DEPARTMENT OF EDUCATION</b>		
	<b>TOTAL</b>		<u>\$600,000</u>
6			
8	<b>TREASURER OF STATE, OFFICE OF</b>		
	<b>State Municipal Revenue Sharing</b>		
10			
	All Other		\$600,000
12			
14	Provides for an appropriation of funds to		
	offset the reductions in Part HH. These		
16	funds are to be distributed to		
	municipalities on a monthly basis from		
18	January 1992 to June 1992 in accordance with		
	the provisions of the Maine Revised		
20	Statutes, Title 30-A, section 5681,		
	subsection 4.		
22	<b>OFFICE OF TREASURER OF STATE</b>		
	<b>TOTAL</b>		<u>\$600,000</u>
24			
26	<b>TOTAL APPROPRIATIONS</b>		<u>\$1,500,000'</u>
28	<b>Sec. 00-79. Allocation.</b> The following funds are allocated		
	from Other Special Revenue to carry out the purposes of this Act.		
30			
		1991-92	1992-93
32	<b>MAINE WASTE MANAGEMENT AGENCY</b>		
34			
36	<b>Administration - Office of the</b>		
	<b>Executive Director</b>		
38	Positions	(-3.0)	(-3.0)
	Personal Services	(\$29,184)	(\$164,204)
40	All Other	(24,047)	(95,696)
42	Total	<u>(\$53,231)</u>	<u>(\$259,900)</u>
44	Provides for the deallocation		
	of funds due to the		
46	abolishment of the Office of		
	the Executive Director.		
48			
50	<b>OFFICE OF PLANNING</b>		

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2	Positions	(-4.0)	(-4.0)
	Personal Services	(\$40,526)	(\$212,374)
4	All Other	(19,390)	(104,263)
6	Total	<u>(\$59,916)</u>	<u>(\$316,637)</u>

8 Provides for the  
10 deallocation of funds due to  
12 the abolishment of the Office  
14 of Planning.

12 **OFFICE OF SITING AND  
DISPOSAL OPERATIONS**

14	Positions	(-4.0)	(-4.0)
16	Personal Services	(\$46,060)	(\$229,298)
18	All Other	(756,493)	(1,548,383)
20	Total	<u>(\$802,553)</u>	<u>(\$1,777,681)</u>

22 Provides for the deallocation  
24 of funds due to the  
26 abolishment of the Office of  
Siting and Disposal  
Operations.

28 **OFFICE OF WASTE REDUCTION  
AND RECYCLING**

30	Positions	(-5.0)	(-5.0)
32	Personal Services	(\$39,773)	(\$235,961)
34	All Other	(75,929)	(617,035)
36	Total	<u>(\$115,702)</u>	<u>(\$852,996)</u>

38 Provides for a deallocation  
40 of funds due to the  
abolishment of the Office of  
Waste Reduction and Recycling.

42 **MAINE WASTE MANAGEMENT  
AGENCY**  
44 **TOTAL**

44 (\$1,031,402) (\$3,207,214)

46 **Sec. OO-80. Effective date.** This Part takes effect on January  
48 1, 1992, except that those sections of this Part that amend the  
Maine Revised Statutes, Title 2, section 6, subsection 2, as  
50 amended by Public Law 1991, chapter 579, section 1 and affected  
by section 19, takes effect July 1, 1992; that section of this

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2 Part that amends Title 32, section 1732, subsections 1 and 1-A  
and sections 1735, 1737 and 1738 take effect April 1, 1992; and  
4 that section of this Part that amends Title 32, section 1734,  
subsection 2, as amended by Public Law 1991, chapter 177, section  
6 1 and affected by section 2, takes effect on April 1, 1992.' '

8 Further amend the amendment in Part 00 by renumbering the  
sections to read consecutively.

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

### 14 FISCAL NOTE

16 This amendment provides a General Fund appropriation of  
\$300,000 for fiscal year 1992-93 to establish an Office of  
18 Planning, Recycling and Waste Reduction within the Department of  
Environmental Protection, deallocates \$1,031,402 for fiscal year  
20 1991-92 and \$3,207,214 for fiscal year 1992-93 due to the  
elimination of the Maine Waste Management Agency effective  
22 January 1, 1992. Undedicating the Maine Solid Waste Management  
Fund will not increase General Fund revenue in fiscal year  
24 1991-92.

26 Fiscal year 1992-93 General Fund revenue will depend on the  
outcome of current litigation dealing with the recovery of  
28 unclaimed deposits, but will be in excess of \$1,500,000.

30 Total General Fund appropriations of \$1,500,000 in fiscal  
year 1992-93 are included in this amendment.

32 This amendment may reduce General Fund savings in fiscal  
34 year 1991-92 realized by the bill.'

### 36 STATEMENT OF FACT

38 This amendment changes the effective date from July 1, 1992  
40 to January 1, 1992 and makes changes in the appropriation  
sections. It also makes several technical changes.

42

Filed by Rep. Richards of Hampden  
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of the House.

12/19/91

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