

# MAINE STATE LEGISLATURE

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

HOUSE AMENDMENT <sup>MM</sup>MM to H.P. 1402, L.D. 1985, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government for the Fiscal Years Ending June 30, 1992 and June 30, 1993 and to Change Certain Provisions of Law"

Amend the bill in Part A in section 1 in that part designated "~~CONSERVATION, DEPARTMENT OF~~" by striking out all of the 2 parts relating to "~~Forest Fire Control - Division of~~" (page 11, lines 35 to 50 and page 12, lines 2 to 7 in L.D.) and inserting in their place the following:

'Forest Fire Control - Division of

Personal Services (155,283)

Provides for the deappropriation of funds through the freezing of 2 Forest Ranger IV positions and one Forest Ranger III position for the balance of this fiscal year and salary savings from holding 7 Forest Ranger II positions vacant during the 2nd quarter.'

Further amend the bill in Part A in section 1 in that part designated "~~CONSERVATION, DEPARTMENT OF~~" by striking out all of the last 2 lines (page 14, lines 8 and 9 in L.D.) and inserting in their place the following:

'DEPARTMENT OF CONSERVATION  
TOTAL

(625,360)'

2 Further amend the bill in Part A in section 1 under that  
 4 part designated "DEFENSE AND VETERANS' SERVICES, DEPARTMENT OF"  
 6 by striking out all of that part relating to "Commission on  
 Vietnam and Atomic Veterans" (page 18, lines 8 to 22 in L.D.) and  
 inserting in its place the following:

8 **'Commission on Vietnam and Atomic  
 Veterans**

10	Positions - Legislative Count	(-1.0)
12	Personal Services	(5,827)
14	All Other	(8,324)
16	TOTAL	<u>(14,151)</u>

18 Provides for the deappropriation of funds  
 through the elimination of one Clerk  
 20 Stenographer II position and funds for  
 commission expenses. The Veterans Counselor  
 22 position will assume responsibility for both  
 Vietnam and Atomic Veterans as well as other  
 veterans.

24 **Veterans' Services**

26	Positions - Legislative Count	(-1.0)
28	Personal Services	(4,193)
30	All Other	(2,000)
32	TOTAL	<u>(6,193)</u>

34 Provides for the deappropriation of funds  
 from the elimination of a Clerk Typist II  
 position.

36 **Maine Emergency Management Agency**

38	All Other	(18,686)
----	-----------	----------

40 Provides for the deappropriation of funds.'

42 Further amend the bill in Part A in section 1 by striking  
 44 out all that part designated "ECONOMIC AND COMMUNITY DEVELOPMENT,  
 DEPARTMENT OF" (page 19, lines 3 to 50 and page 20, lines 1 to 43  
 46 in L.D.) and inserting in its place the following:

48 **'ECONOMIC AND COMMUNITY DEVELOPMENT,  
 DEPARTMENT OF**

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2	<b>Administration - Economic and Community Development</b>	
4	All Other	(17,000)
6	Capital Expenditures	(2,924)
8	TOTAL	<hr/> (19,924)
10	Provides for the deappropriation of funds through the reduction of travel, 12	
14	rent, general operating expenses, supplies and capital items.	
16	<b>Business Development</b>	
18	All Other	(25,000)
20	Provides for the deappropriation of funds through reductions in general 22	
24	operating expenses.	
26	<b>Business Development, Office of</b>	
28	Personal Services	(50,000)
30	Provides for the deappropriation of funds from salary savings related to 32	
34	a vacant Deputy Commissioner of Business Development position.	
36	<b>Office of Community Development</b>	
38	All Other	(5,000)
40	Provides for the deappropriation of funds through the reduction in 42	
44	general operating expenses and professional services.	
46	<b>Comprehensive Land Use Planning</b>	
	Positions - Legislative Count	(-2.0)
	Personal Services	(99,135)
	All Other	(800,426)
	TOTAL	<hr/> (899,561)

2 Provides for the deappropriation of  
4 funds through the transfer of one  
6 1/2-time Planner II position and  
8 one 1/2-time Planning and Research  
10 Associate II position to the Other  
12 Special Revenue account, the  
transfer of one Senior Planner  
position to the federal account, salary  
savings and reductions in general  
operating expenses and grants to  
cities and towns.

14 **Legal Defense Fund**

16 All Other (56,658)

18 Provides for the deappropriation of  
20 funds through the reduction of  
the balance of the Legal Defense  
Fund.

22

**Maine Small Business Commission**

24

All Other (200,000)

26

28 Provides for the deappropriation of  
funds through disencumbering a  
contract with the University of  
30 Southern Maine's Small Business  
Development Center.

32

**Office of Tourism**

34

All Other (85,000)

36

38 Provides for the deappropriation of  
funds through the reduction in  
operating expenses used to conduct  
40 a study on the effectiveness of  
tourism efforts, tourism contracts  
42 and general operating expenses.

44 **DEPARTMENT OF ECONOMIC AND COMMUNITY  
DEVELOPMENT**

46 **TOTAL** (1,341,143)!

48 Further amend the bill in Part A in section 1 in that part  
50 designated "FINANCE, DEPARTMENT OF" by striking out all of that  
part relating to "Tree Growth Tax Reimbursement" (page 35, line  
49 and page 36, lines 1 to 16 in L.D.)

2 Further amend the bill in Part A in section 1 in that part  
4 designated "FINANCE, DEPARTMENT OF" by striking out all of the  
last 2 lines (page 36, lines 27 and 28 in L.D.) and inserting in  
their place the following:

6  
8 'DEPARTMENT OF FINANCE  
TOTAL (\$3,391,373)'

10 Further amend the bill in Part A in section 1 by striking  
12 out all of that part designated "DEPARTMENT OF INLAND FISHERIES  
AND WILDLIFE" (page 46, lines 26 to 49; page 47; page 48; and  
14 page 49, lines 1 to 39 in L.D.)

16 Further amend the bill in Part A in section 1 by striking  
out all of the last line (page 70, line 1 in L.D.) and inserting  
18 in its place the following:

20 'SECTION A-1 (55,930,973)'

22 Further amend the bill in Part F by striking out all of  
sections 1 to 31.

24 Further amend the bill in Part F in section 32 in the first  
line (page 106, line 35 in L.D.) by striking out the following:  
26 "Sec. F-32."

28 Further amend the bill in Part F in section 32 in the 2nd  
line (page 106, line 36 in L.D.) by striking out the following:  
30 "\$520,000" and inserting in its place the following: '\$650,000'

32 Further amend the bill by striking out all of Part H.

34 Further amend the bill in Part K in section 5 in the last  
line (page 130, line 10 in L.D.) by inserting after the  
36 following: "Fund." the following: 'This paragraph is repealed  
June 30, 1993.'

38  
40 Further amend the bill in Part M by striking out all of  
sections 6, 7 and 8.

42 Further amend the bill in Part M in section 11 in subsection  
4 in the 3rd line (page 138, line 21 in L.D.) by inserting before  
44 the following: "reported" the following: 'due the State pursuant  
to the principles of reimbursement and'

46  
48 Further amend the bill in Part M by striking out all of  
sections 17, 18 and 21.

2 Further amend the bill in Part M by renumbering the sections  
to read consecutively.

4 Further amend the bill by striking out all of Part P.

6 Further amend the bill in Part S by striking out all of  
8 sections 1, 2, 8, 14 and 17.

10 Further amend the bill in Part S by striking out all of  
section 18 and inserting in its place the following:

12 'Sec. S-18. 5 MRSA §12004-J, sub-§6, as enacted by PL 1987, c.  
14 786, §5, is repealed.'

16 Further amend the bill in Part S by striking out all of  
sections 19, 23, 30 and 33 to 35.

18 Further amend the bill in Part S by renumbering the sections  
20 to read consecutively.

22 Further amend the bill in Part X in section 14 in subsection  
6 in the 7th line (page 165, line 4 in L.D.) by inserting before  
24 the following: "municipal" the following: "licensed or  
26 unlicensed but operating pursuant to a consent agreement'

28 Further amend the bill in Part X by striking out all of  
section 9.

30 Further amend the bill in Part X by renumbering the sections  
to read consecutively.

32 Further amend the bill by striking out all of Part HH.

34 Further amend the bill by striking out all of Part NN.

36 Further amend the bill by inserting at the end before the  
38 emergency clause the following:

40 **PART OO**

42 **Appropriation.** The following funds are appropriated from  
the General Fund to carry out the purposes of this Act.

44 **1991-92**

46 **MAINE MARITIME ACADEMY**

48 **Maritime Academy - Operations**

50

HOUSE AMENDMENT *MMM* to H.P. 1402, L.D. 1985

2	All Other	\$106,559
4	Provides for the appropriation of funds to partially offset the reduction of Part A.	
6	<b>MAINE MARITIME ACADEMY</b>	
8	<b>TOTAL</b>	<u>\$106,559</u>
10	<b>TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE</b>	
12	<b>Maine Technical College System - Board of Trustees</b>	
14	All Other	\$377,000
16	Provides for the appropriation of funds to partially offset the reduction in Part A.	
18		
20	<b>BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM</b>	
22	<b>TOTAL</b>	<u>\$377,000</u>
24	<b>UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE</b>	
26	<b>Education and General Activities - University of Maine</b>	
28	All Other	\$2,189,577
30	Provides for the appropriation of funds to partially offset the reduction in Part A.	
32		
34	<b>Maine Public Broadcasting Network</b>	
36	All Other	34,666
38	Provides for the appropriation of funds to partially offset the reduction in Part A.	
40		
42	<b>BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM</b>	
44	<b>TOTAL</b>	<u>\$2,224,243</u>
46	<b>TOTAL APPROPRIATIONS PART OO</b>	<u>\$2,707,802</u>

48  
50

**PART PP**





2           **§4327. Monitoring and revision**

4           A municipality shall periodically review and revise its  
6           local growth management program in a timely manner to account for  
8           changes caused by growth and development. A municipality shall  
10          update its program at least once every ~~5~~ 7 years in accordance  
12          with this section. The municipality shall submit any  
14          comprehensive plan and zoning ordinance revised under this  
16          section to the office for review as provided in section 4343,  
18          subsection 4.

20          **Sec. QQ-4. 30-A MRSA §4343, sub-§1-B, ¶A.** as enacted by PL  
22          1991, c. 278, §3, is amended to read:

24           A. Each municipality shall submit for review a zoning  
26           ordinance proposed as part of its implementation program  
28           within ~~one--year~~ 18 months of the applicable date for  
30           submission of the comprehensive plan established under  
32           subsection 1.

34          **Sec. QQ-5. 30-A MRSA §4343, sub-§1-B, ¶B.** as enacted by PL  
36          1991, c. 278, §3, is repealed.

38          **Sec. QQ-6. 30-A MRSA §4344, sub-§§7 to 9,** as amended by PL  
40          1989, c. 562, §14, are further amended to read:

42           **7. Municipal legal defense fund.** The office shall develop  
44           and administer a nonlapsing municipal legal defense fund to  
46           assist municipalities with legal expenses related to the  
48           enforcement and defense of land use ordinances. Grants ~~shall~~  
50           must be targeted to cases of statewide significance. After ~~2~~ 3  
          years subsequent to the applicable deadline dates established  
          under section 4343, subsection 1, assistance under this  
          subsection is limited to the enforcement and defense of land use  
          ordinances adopted as part of a certified local growth management  
          program in accordance with this subchapter. The balance of the  
          fund ~~shall~~ may not exceed \$250,000 at any time. Amounts in  
          excess of this \$250,000 limit ~~shall~~ lapse to the General Fund.

**8. Eligibility for other state aid.** After ~~2~~ 3 years  
          subsequent to the applicable deadline date established in section  
          4343, subsection 1, a state agency responsible for administering  
          any grant and assistance program described in paragraph A shall  
          award funds to a municipality only when the municipality has  
          adopted and implemented a certified local growth management  
          program or has, at a minimum, adopted a certified comprehensive  
          plan and implemented certified components of the implementation  
          program that are directly related to the purposes for which the  
          grant or assistance is provided.

2 A. State grants and assistance in the following areas are  
subject to this subsection:

4 (1) Assistance in the enforcement of local growth  
management programs including the municipal legal  
6 defense fund and technical and financial assistance in  
the administration and enforcement of local land use  
8 ordinances;

10 (2) Assistance in the acquisition of land by the  
municipality for conservation, natural resource  
12 protection, open space or recreational facilities under  
Title 5, chapter 353; and

14 (3) Multi-purpose community development block grants.  
16

18 9. Other state grants and assistance. Except for the  
programs specified in subsection 8, and after 2 3 years  
subsequent to the applicable deadline date established in section  
20 4343, subsection 1, state agencies responsible for administering  
grant and direct or indirect financial assistance programs to  
22 municipalities designed to accommodate or encourage additional  
growth and development; to improve, expand or construct public  
24 facilities; to acquire land for conservation, recreation or  
resource protection; or to assist in planning or managing for  
26 specific economic and natural resource concerns shall allocate  
funds only to a municipality with an adopted comprehensive plan  
28 and implementation program which that includes statements of  
policy or program guidelines directly related to the purposes for  
30 which the grant or financial assistance is provided. State  
agencies shall consider the content of the plan, policies and  
32 guidelines in awarding financial assistance to a municipality.

34 Sec. QQ-7. 30-A MRSA §4354. first ¶, as amended by PL 1991, c.  
18, §2 and c. 236, §2, is repealed and the following enacted in  
36 its place:

38 A municipality may enact an ordinance under its home rule  
authority requiring the construction of off-site capital  
40 improvements or the payment of impact fees instead of the  
construction. Notwithstanding section 3442, subsection 2, an  
42 impact fee may be imposed that results in a developer or  
developers paying the entire cost of an infrastructure  
44 improvement. A municipality may impose an impact fee either  
before or after completing the infrastructure improvement. No  
46 later than 3 years after the applicable deadlines established  
under section 4343, subsection 1, any impact fee ordinance must  
48 have been adopted as part of a certified local growth management  
program.  
50

**PART RR**

**Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1991-92	1992-93
<b>FINANCE, DEPARTMENT OF</b>		
<b>Bureau of Taxation</b>		
Positions - Legislative Count	(12.0)	(12.0)
Personal Services	\$181,000	\$362,000
All Other	20,000	30,000
Capital Expenditures	20,000	
Provides funds to establish 10 Revenue Agent positions (PR 20) and 2 Principal Revenue Agent positions (PR 25). This is expected to generate \$3,000,000 in additional revenue in fiscal year 1992-93.		
<b>DEPARTMENT OF FINANCE</b>		
<b>TOTAL</b>	\$221,000	\$392,000
<b>TOTAL APPROPRIATIONS</b>		
<b>PART RR</b>	\$221,000	\$392,000

**PART SS**

**Transfer of funds.** Notwithstanding the Maine Revised Statutes, Title 5, sections 1728-A to 1736, or any other provision of law, the Commissioner of Administration is authorized to transfer from the reserve fund for self-insured retention losses to the General Fund \$600,000 by June 30, 1992.

**PART TT**

**Sec. TT-1. Calculation and transfer.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amount in section 3 of this Part that applies against each General Fund account for all departments and agencies based on the total appropriations to those accounts, except for the following accounts: General Purpose Aid for Local Schools; Education in the Unorganized Territory; Debt Service -

2 Treasury; Teacher Retirement; Aid to Families with Dependent  
Children; Aid to Families with Dependent Children - Foster Care;  
4 General Assistance; Maine Health Program, Intermediate Care -  
Payments to Providers; Medical Care - Payments to Providers;  
6 Bureau of Rehabilitation; and Bureau of Rehabilitation -  
Vocational Rehabilitation. The State Budget Officer shall cause  
the calculated amount to be transferred from each account.

8  
10 **Sec. TT-2. Program or service eliminations.** In implementing  
sections 1 and 3 of this Part, the heads of all departments and  
12 agencies in State Government, along with the State Budget  
Officer, shall take all necessary precautions to ensure that no  
14 program or service otherwise authorized by the Legislature is  
eliminated in fiscal year 1991-92 as a result of this Part.

16 **Sec. TT-3. Appropriation.** The following funds are  
18 appropriated from the General Fund to carry out the purposes of  
this Act.

20 1991-92

22 **FINANCE, DEPARTMENT OF**

24 **Departments and Agencies - Statewide**

26 All Other (\$3,500,000)

28 Provides for the deappropriation of funds by  
an across-the-board reduction of  
30 approximately 1%, effective for the last 6  
months in fiscal year 1991-92 except for the  
32 General Fund accounts listed in section 1 of  
this Part. This reduction is in addition to  
34 the 1% deappropriation authorized by Public  
Law 1991, chapter 591, Part QQQ.

36  
38 **TOTAL APPROPRIATIONS**  
**PART TT**

\$3,500,000

40 **PART UU**

42 **Sec. UU-1. Appropriation.** The following funds are  
44 appropriated from the General Fund to carry out the purposes of  
this Act.

46 1991-92

48 **AGING, MAINE COMMITTEE ON**

**Maine Committee on Aging**

2

Positions - Legislative Count (4.5)  
Personal Services \$37,271

4

6

Provides funds to offset the reductions in section A-1, including one Executive Director position, one Planning and Research Associate II position, one Clerk Typist II position, one Clerk Typist IV position, one 1/2-time Advocate position and associated support costs.

8

10

12

14

**MAINE COMMITTEE ON AGING  
TOTAL**

\$37,271

16

**HUMAN SERVICES, DEPARTMENT OF**

18

**Aid to Families with Dependent Children**

20

All Other \$227,870

22

24

Provides funds to offset the reduction in section A-1 so that the standard of need is not reduced by 3.5%.

26

**Medical Care - Payments to Providers**

28

All Other 17,000

30

32

Provides funds to offset the reduction in section A-1 so that the AFDC caseload is not reduced.

34

**DEPARTMENT OF HUMAN SERVICES**

36

**TOTAL**

\$244,870

38

**MENTAL HEALTH, MAINE COMMISSION ON**

40

**Maine Commission on Mental Health**

42

Positions - Legislative Count (1.0)

Personal Services \$12,895

44

All Other 4,370

46

Provides funds to offset the reductions in section A-1, including one Executive Director position and related costs.

48

50

**MAINE COMMISSION ON MENTAL HEALTH**

2	<b>TOTAL</b>	\$17,265
4	<b>TOTAL APPROPRIATIONS SECTION UU-1</b>	<u>\$299,406</u>
6	<b>Sec. UU-2. Allocation.</b> The following funds are allocated from Federal Expenditures to carry out the purposes of this Act.	
8		<b>1991-92</b>
10	<b>AGING, MAINE COMMITTEE ON</b>	
12	<b>Maine Committee on Aging</b>	
14	Positions - Other Count	(1.5)
16	Personal Services	\$15,152
18	All Other	3,847
20	Provides funds to offset the reductions in section A-2, including one part-time Advocate position, one Social Services Program Specialist II position and related costs.	
24	<b>MAINE COMMITTEE ON AGING</b>	
26	<b>TOTAL</b>	<u>\$18,999</u>
28	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
30	<b>Aid to Families with Dependent Children</b>	
32	All Other	\$379,452
34	Provides funds to offset the reductions in section A-2.	
36	<b>Medical Care - Payment to Providers</b>	
38	All Other	28,540
40	Provides funds to offset the reductions in section A-2.	
42		
44	<b>DEPARTMENT OF HUMAN SERVICES</b>	
46	<b>TOTAL</b>	<u>\$408,002</u>
48	<b>TOTAL ALLOCATIONS SECTION UU-2</b>	<u>\$427,001</u>

50 **PART VV**

2           **Appropriation.** The following funds are appropriated from  
the General Fund to carry out the purposes of this Act.

4  
6  
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1991-92

**EDUCATION, DEPARTMENT OF**

**General Purpose Aid for Local Schools**

All Other \$7,300,000

Provides for an appropriation of funds to offset the reduction of the foundation and minimum education subsidy for fiscal year 1991-92 contained in Part A, section 1.

**TOTAL APPROPRIATIONS  
PART VV**

\$7,300,000

**PART WW**

**Sec. WW-1. 32 MRSA §1866-A, sub-§§2 and 3.** as enacted by PL 1991, c. 591, Pt. R, §4 and affected by §18, are amended to read:

2. **Unclaimed deposits.** Each deposit initiator shall pay to the Treasurer of State on or before the 20th day of March, June, September and December an amount equal to ~~50%~~ of the unclaimed minimum deposits and any income earned on deposits held by the deposit initiator. ~~The remaining unclaimed minimum deposits, any other unclaimed deposits and any income earned on deposits become the property of the distributor on the day payment is made to the Treasurer of State.~~ Funds received by the Treasurer of State under this subsection become the property of the State and 50% must be deposited in the Maine Solid Waste Management Fund established in Title 38, section 2201 and 50% in the General Fund.

3. **Over-redemption of beverage container deposits.** When a deposit initiator pays out more in refund values than it collects in deposits during the course of a calendar year, the deposit initiator may apply to the Treasurer of State for a reimbursement ~~from~~ shared equally by the General Fund and the Maine Solid Waste Management Fund equal to the amount of over-redeemed minimum deposits. The Treasurer of State shall reimburse documented claims of over-redeemed minimum deposits.

**Sec. WW-2. 38 MRSA §2201, first ¶,** as amended by PL 1991, c. 517, Pt. B, §15 and c. 591, Pt. R, §12, is repealed and the following enacted in its place:





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2 DEPARTMENT OF EDUCATION  
TOTAL -0-

4 TOTAL APPROPRIATIONS  
PART YY -0-

6 Further amend the bill by relettering the Parts to read  
8 consecutively.

10

### FISCAL NOTE

12

14 1. This amendment strikes the deappropriation to the Tree  
Growth Tax Reimbursement program thereby reducing the total  
General Fund savings realized by the bill by \$500,000.

16

18 2. This amendment revises the deappropriations for the  
Department of Defense and Veterans' Services for fiscal year  
1991-92 but has no net fiscal impact to the bill.

20

22 3. This amendment provides for General Fund  
deappropriations of \$1,341,143 in fiscal year 1991-92 for the  
Department of Economic and Community Development, and increases  
24 the amount to be transferred to the General Fund from the  
Community Industrial Buildings Fund to \$650,000, thereby reducing  
26 the total General Fund savings realized by the bill by \$698,857.

28

30 4. This amendment appropriates \$106,559 to the Maine  
Maritime Academy, \$377,000 to the Maine Technical College System  
and \$2,224,243 to the University of Maine System, thereby  
reducing the total General Fund savings realized by the bill by a  
32 total of \$2,707,802.

34

36 5. This amendment will result in an estimated increase of  
\$8,100,000 in General Fund revenue in fiscal year 1991-92 and  
\$16,600,000 in General Fund revenue in fiscal year 1992-93 from  
changing the Municipal Revenue Sharing percentage from 5.1% to  
38 4.0%.

40

42 6. This amendment deappropriates an additional \$162,200 in  
fiscal year 1991-92 and eliminates a one-time payment to the  
General Fund by the Department of Conservation, Bureau of Public  
Lands of \$681,000 in fiscal year 1991-92, thereby reducing the  
44 total General Fund savings by \$518,800.

46

48 7. This amendment clarifies the provision related to  
Medicaid savings from cost reports. The amount of projected  
General Fund savings reflected in Part A in the amount of  
\$350,000 will continue to be achieved.

50

2 8. This amendment strikes Part NN of the original bill  
which deappropriated (\$1,000,000) in fiscal year 1991-92 due to  
suspending employee merit increases.

4  
6 This amendment provides for the transfer of \$600,000 in  
fiscal year 1991-92 from the reserve fund for self-insured  
retention losses to the General Fund, thereby increasing General  
8 Fund resources realized by the bill.

10 This amendment also adds 12 revenue agents which will  
generate \$3,000,000 in fiscal year 1992-93 and require a total  
12 appropriation of \$613,000.

14 Part TT deappropriates \$3,500,000 in fiscal year 1991-92 by  
adding a 1% across-the-board reduction to most General Fund  
16 programs.

18 Part UU provides General Fund offsetting appropriations of  
\$299,406 and Federal Expenditure allocations of \$427,001.

20  
22 Part VV provides an offsetting General Fund appropriation to  
General Purpose Aid for Local Schools in fiscal year 1991-92 in  
order to achieve a net reduction of (\$8,810,244).

24  
26 Part WW provides for a potential increase in General Fund  
revenue of \$690,938 for fiscal year 1991-92 and \$1,842,500 in  
28 fiscal year 1992-93 from the recovery of the remaining portion,  
50%, of unclaimed beverage container deposits. The recovery of  
unclaimed deposits is under challenge by some portions of the  
30 beverage industry and the realization of revenue depends on the  
outcome of this litigation.

32  
34 Part YY restores a position previously eliminated from the  
Department of Education in Part A by substituting an alternative  
deappropriation from the Department of Education. There is no  
36 net fiscal impact to the bill.

38 This amendment, through its various proposals, has no net  
effect on the total General Fund savings realized by the bill.

40  
42  
44 **STATEMENT OF FACT**

46 1. This amendment removes any adjustment to the amount of  
funding provided for the Tree Growth Tax Reimbursement program.

48 2. This amendment restores a Veterans Counselor position to  
the Department of Defense and Veterans' Services, Bureau of  
50 Veterans' Services.

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2 3. This amendment eliminates those portions of the bill  
that abolish the Office of Comprehensive Land Use Planning within  
the Department of Economic and Community Development and proposes  
4 alternative deappropriations.

6 4. This amendment strikes the repeal of the prohibition of  
locating a solid waste disposal site within 300 feet of a  
8 classified body of surface water. This amendment also ensures  
that projects under the jurisdiction of the Maine Land Use  
10 Regulation Commission are still reviewed under the wetlands  
provisions of the natural resources protection laws.

12 5. This amendment clarifies that after June 30, 1993, the  
14 method of distribution of the real estate transfer tax revenues  
will revert to the method of distribution in effect before  
16 November 1, 1991.

18 6. This amendment clarifies the intent of the provision  
requiring nursing facilities to advance 1/2 of the amount  
20 estimated to be due to the State pursuant to shared savings  
provisions of the principles of reimbursement.

22 7. This amendment makes a technical correction to the  
24 special housing needs allowance in the Aid to Families with  
Dependent Children program.

26 8. This amendment also deletes Part P of the bill.

28 9. This amendment also strikes any reference to reducing  
30 the Aid to Families with Dependent Children standard of need by  
3.5%.

32 10. This amendment strikes provisions that waive certain  
34 certificate-of-need provisions for mental health projects.

36 11. This amendment also reinstates 5 advisory groups,  
including the Maine Committee on Aging, the Commission on Mental  
38 Health, the State Government Internship Program Advisory  
Committee, Mining Excise Tax Trust Fund Board and the Whitewater  
40 Safety Committee.

42 12. This amendment also deletes Part X, section 9 thereby  
ensuring that the office of the municipal clerk in each  
44 municipality will be open a minimum of 4 hours on the Saturday  
immediately preceding a statewide regular election and any  
46 election for federal or state office so that voters can obtain or  
cast absentee ballots.

48 13. This amendment clarifies that municipal landfills that  
50 are either operating under a license or under a consent agreement

2 entered into with the Department of Environmental Protection are  
encompassed by the moratorium.

4 14. This amendment also restores 20.2% of Part A General  
Fund deappropriations to the Maine Maritime Academy, the Maine  
6 Technical College System and the University of Maine System.

8 15. Part QQ of this amendment is designed to provide more  
time for towns to complete the implementation of local  
10 comprehensive planning and growth management programs.  
Specifically, deadlines for the adoption of consistent local land  
12 use ordinances are delayed by one year. This delay is in  
addition to the existing mechanism that permits the Office of  
14 Comprehensive Land Use Planning to extend the planning deadlines  
for towns due to the limited availability of planning grants.

16 16. This amendment changes the Municipal Revenue Sharing  
18 percentage from 5.1% to 4.0% and eliminates the \$237,000 per  
month supplement effective January 1, 1992. This proposal  
20 replaces the 6-month suspension proposed in L.D. 1985.

22 17. This amendment also provides an additional  
deappropriation of \$162,200 in fiscal year 1991-92, eliminates  
24 the Department of Inland Fisheries and Wildlife's reductions and  
appropriations in Part A and strikes a one-time payment to the  
26 General Fund of \$681,000 in fiscal year 1991-92 in Part P.

28 18. This amendment also strikes Part NN of the bill that  
suspended employee merit increases in calendar year 1992.

30 19. Part SS provides for the transfer of funds from the  
32 reserve fund for self-insured retention losses to the General  
Fund.

34 20. This amendment also adds 12 revenue agents in the  
36 Bureau of Taxation.

38 21. Part TT achieves fiscal year 1991-92 General Fund  
savings of \$3,500,000 by implementing another 1%  
40 across-the-board reduction to most General Fund programs.

42 22. Part UU provides fiscal year 1991-92 General Fund  
offsetting of \$299,406 and fiscal year 1991-92 Federal  
44 Expenditures allocations of \$427,001.

46 23. Part VV provides an offsetting appropriation to General  
Purpose Aid for Local Schools in fiscal year 1991-92 of  
48 \$7,300,000 in order to achieve a net reduction in this bill of  
(\$8,810,244).

50

HOUSE AMENDMENT <sup>MMM</sup> to H.P. 1402, L.D. 1985

2 24. Part WW provides for the recovery of the remaining  
4 portion, 50%, of the unclaimed beverage container deposits to the  
6 General Fund.

8 25. Part XX requires the Department of Mental Health and  
10 Mental Retardation to report to the Legislature prior to  
12 implementing any plans to privatize mental health or mental  
14 retardation services.

16 26. Part YY restores one eliminated position in the  
18 Planning and Management Information Division of the Department of  
Education. This restored position is responsible for operating  
the department computers. The reduction in the deappropriation  
that results is \$4,679 and is matched by a new deappropriation by  
using temporary vacancy savings from another position in school  
nutrition. The effect of this amendment will retain the total  
deappropriation of the Department of Education in the revised  
fiscal year 1991-92 budget. ✓

Filed by Rep. Cashman of Old Town  
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12/20/91

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