

MAINE STATE LEGISLATURE

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L.D. 1985

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STATE OF MAINE
SENATE
115TH LEGISLATURE
SECOND SPECIAL SESSION

SENATE AMENDMENT "A" to SENATE AMENDMENT "P" 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 amendment in Part OO by inserting before section OO-1 the following:

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 OO-1. 2 MRSA §6, sub-§2, as repealed and replaced by PL 1989, c. 878, Pt.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

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

- Superintendent of Banking;
- Bureau of Consumer Credit Protection Superintendent;
- State Tax Assessor;
- Superintendent of Insurance;
- Associate Commissioner for Programs, Department of Mental Health and Mental Retardation;
- Associate Commissioner of Administration, Department of Mental Health and Mental Retardation; and
- Associate Commissioner for Institutional Management; ~~and~~
- ~~Executive-Director, Maine-Waste-Management-Agency.~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1992-93

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

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

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

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL**

\$300,000

EDUCATION, DEPARTMENT OF

General Purpose Aid for Local Schools

All Other	\$600,000
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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.

4 DEPARTMENT OF EDUCATION
TOTAL \$600,000

6 TREASURER OF STATE, OFFICE OF
8 State Municipal Revenue Sharing

10 All Other \$600,000

12 Provides for an appropriation of funds to
14 offset the reductions in Part HH. These
16 funds are to be distributed to
18 municipalities on a monthly basis from
20 January 1992 to June 1992 in accordance with
the provisions of the Maine Revised
Statutes, Title 30-A, section 5681,
subsection 4.

22 OFFICE OF TREASURER OF STATE
24 TOTAL \$600,000

26 TOTAL APPROPRIATIONS \$1,500,000'

28 Sec. OO-79. Allocation. The following funds are allocated
30 from Other Special Revenue to carry out the purposes of this Act.

32 1991-92 1992-93

34 MAINE WASTE MANAGEMENT AGENCY

36 Administration - Office of the
Executive Director

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
46 of funds due to the
abolishment of the Office of
48 the Executive Director.

50 OFFICE OF PLANNING

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

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

12 **OFFICE OF SITING AND
DISPOSAL OPERATIONS**

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

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

28 **OFFICE OF WASTE REDUCTION
AND RECYCLING**

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

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

42 **MAINE WASTE MANAGEMENT
AGENCY**

44	TOTAL	<u>(\$1,031,402)</u>	<u>(\$3,207,214)</u>
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46 **Sec. OO-80. Effective date.** This Part takes effect on January
1, 1992, except that those sections of this Part that amend the
48 Maine Revised Statutes, Title 2, section 6, subsection 2, as
amended by Public Law 1991, chapter 579, section 1 and affected
50 by section 19, takes effect July 1, 1992; that section of this

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
1 and affected by section 2, takes effect on April 1, 1992.' '

6
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
1991-92.

24
26 Fiscal year 1992-93 General Fund revenue will depend on the
outcome of current litigation dealing with the recovery of
unclaimed deposits, but will be in excess of \$1,500,000.

28
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
year 1991-92 realized by the bill.'

34

36 STATEMENT OF FACT

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

42

44 (Senator DUTREMBLE)

46 SPONSORED BY: 

COUNTY: York

48

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