

MAINE STATE LEGISLATURE

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L.D. 283

(Filing No. H- 680)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "B" to H.P. 215,
L.D. 283, Bill, "An Act Making Unified Appropriations and
Allocations for the Expenditures of State Government, General
Fund and Other Funds, and Changing Certain Provisions of the Law
Necessary to the Proper Operations of State Government for the
Fiscal Years Ending June 30, 1994 and June 30, 1995"

Amend the amendment by striking out all of Part EE and
inserting in its place the following:

PART EE

Sec. EE-1. 2 MRSA §6, sub-§2, as repealed and replaced by PL
1993, c. 349, §1, is repealed and the following enacted in its
place:

2. Range 90. The salaries of the following state officials
and employees 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;

Associate Commissioner for Institutional Management; and

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2 Deputy Commissioner, Department of Administrative and
3 Financial Services.

4 **Sec. EE-2. 2 MRSA §6, sub-§4**, as amended by PL 1991, c. 780,
5 Pt. Y, §4, is further amended to read:

6 **4. Range 88.** The salaries of the following state officials
7 and employees are within salary range 88:

- 10 Director of the Bureau of Parks and Recreation;
- 12 Director of Public Lands;
- 14 Director of Employee Relations;
- 16 Director, Bureau of Air Quality Control;
- 18 Director, Bureau of Land Quality Control;
- 20 Director, Bureau of Water Quality Control;
- 22 Director, Bureau of Oil and Hazardous Materials Control;
- 24 Director, Bureau of Administration; and
- 26 ~~Director, Office of Planning;~~
- 28 ~~Director, Office of Waste Reduction and Recycling;~~
- 30 ~~Director, Office of Siting and Disposal Operations; and~~
- 32 Executive Director, Board of Environmental Protection.

34 **Sec. EE-3. 3 MRSA §927, sub-§9, ¶B**, as repealed and replaced
35 by PL 1991, c. 376, §11, is amended to read:

- 36 B. Independent agencies:
- 38 (1) Maine Conservation School;
- 40 (2) Office of State Historian;
- 42 (3) Maine Arts Commission;
- 44 (4) Maine State Museum Commission;
- 46 (5) Maine Historic Preservation Commission;
- 48 (6) Maine Health Care Finance Commission;
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- (7) Board of Occupational Therapy Practice;
- (8) Board of Respiratory Care Practitioners;
- (9) Radiologic Technology Board of Examiners;
- (10) Maine Library Commission; and
- ~~(11) --Maine Waste Management Agency; --and~~
- (12) Maine Court Facilities Authority.

Sec. EE-4. 5 MRSA §953-A, as enacted by PL 1989, c. 585, Pt. A, §4, is repealed.

Sec. EE-5. 5 MRSA §12004-D, sub-§4, as enacted by PL 1989, c. 585, Pt. A, §5, is repealed.

Sec. EE-6. 5 MRSA §12004-I, sub-§22, as repealed and replaced by PL 1989, c. 585, Pt. A, §6, is repealed.

Sec. EE-7. 5 MRSA §13072, sub-§7, as amended by PL 1993, c. 92, §§12 and 13, is further amended to read:

7. Oversee community development resources and programs.
The director shall oversee the implementation of community development programs to include at a minimum:

- A. The Community Development Block Grant Program;
- D. The Coastal Zone Management Local Grants Program; and
- F. The National Flood Insurance Program; and
- G. The municipal recycling assistance grants program.

Sec. EE-8. 5 MRSA §13073-A is enacted to read:

§13073-A. Municipal recycling assistance grants program

The department shall administer a municipal recycling assistance grant program pursuant to the provisions of Title 38, section 2133-A.

Sec. EE-9. 32 MRSA §1866-A, sub-§2, as amended by PL 1991, c. 819, §11, is further amended to read:

2. Unclaimed deposits. Except for initiators of deposit under section 1863-A, subsection 1, each deposit initiator shall pay to the Treasurer of State on or before the 20th day of March,

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2 June, September and December an amount equal to 50% of the
4 unclaimed minimum deposits held by the deposit initiator. The
6 remaining unclaimed minimum deposits, any other unclaimed
8 deposits and any income earned on deposits become the property of
10 the distributor on the day payment is made to the Treasurer of
12 State. Deposit initiators under section 1863-A, subsection 1
14 shall retain all unclaimed deposits. Funds received by the
16 Treasurer of State under this subsection become the property of
18 the State and must be deposited in the Maine Solid--Waste
20 Management Environmental Resources Fund established in Title 38,
22 section 2201.

12 **Sec. EE-10. 32 MRSA §1866-A, sub-§3**, as enacted by PL 1991,
14 c. 591, Pt. R, §4 and affected by §18, is amended to read:

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

24 **Sec. EE-11. 38 MRSA §343-D, sub-§1**, as enacted by PL 1991, c.
26 804, Pt. C, §3 and affected by §5, is amended by amending the
28 last paragraph to read:

30 The Commissioner of Labor, and the Director of the Maine
32 Emergency Management Agency ~~and the Executive Director of the
Maine Waste Management Agency~~ serve as ex officio members and do
not vote on committee matters.

34 **Sec. EE-12. 38 MRSA §1303-C, sub-§1**, as enacted by PL 1989,
36 c. 585, Pt. E, §4, is repealed.

38 **Sec. EE-13. 38 MRSA §1303-C, sub-§7, ¶D**, as amended by PL
1991, c. 220, §6, is repealed.

40 **Sec. EE-14. 38 MRSA §1303-C, sub-§35**, as enacted by PL 1989,
42 c. 585, Pt. E, §4, is amended to read:

44 **35. State waste management and recycling plan.** "State
46 waste management and recycling plan" means the plan adopted by
the agency former Maine Solid Waste Management Agency pursuant to
48 former chapter 24, subchapter II, and may also be referred to as
"state plan."

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2 Sec. EE-15. 38 MRSA §1304, sub-§4, as affected by PL 1989, c.
890, Pt. A, §40 and amended by Pt. B, §227, is further amended to
4 read:

6 4. **Technical assistance.** The commissioner is authorized to
8 establish guidelines for effective waste management, to provide
10 technical assistance to persons planning, constructing or
12 operating waste facilities, and to conduct applied research
14 activities in the field of waste management, disposal technology
and environmental effects, including methods of recycling
hazardous or solid waste, sludge or septage. The commissioner
shall cooperate with the agency commissioner in the design and
delivery of this assistance.

16 Sec. EE-16. 38 MRSA §1304, sub-§13, as amended by PL 1991, c.
72, §3, is further amended to read:

18 13. **Innovative disposal and utilization.** Recognizing that
20 environmentally suitable sites for waste disposal are in limited
22 supply and represent a critical natural resource, the
24 commissioner may investigate and implement with the approval of
26 the board innovative programs for managing, utilizing and
28 disposing of solid waste. Innovative programs may include
agricultural and forest land spreading of wood-derived ash,
utilization of ash resulting from combustion of municipal solid
waste, paper mill sludges, municipal waste water treatment plant
sludges and the composting of yard wastes. The agency
commissioner shall first determine that the proposed innovative
disposal and waste management programs are consistent with the
state plan. The commissioner shall review proposed innovative
programs for each waste category and shall apply all controls
necessary to ensure the protection of the environment and public
health consistent with this chapter. The board may adopt
application review procedures designed to review individual
applications and their individual waste sources with prior
approval of classes of disposal or utilization sites. The board
shall adopt provisions for municipal notification prior to use of
individual utilization sites.

40 Sec. EE-17. 38 MRSA §1310-N, sub-§3, as affected by PL 1989,
42 c. 890, Pt. A, §40 and amended by Pt. B, §242, is further amended
to read:

44 3. **Public benefit determination.** The department shall
46 determine the public benefit of a proposed facility according to
the following provisions.

48 ~~A. Prior to the initial adoption of the state plan, the~~
50 ~~department shall find that a proposed facility provides a~~
~~substantial public benefit when the applicant demonstrates~~

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2 ~~that the facility is designed, located and will be operated~~
3 ~~so that it is consistent with and meets the needs identified~~
4 ~~in the capacity needs analysis under former section 1310-O.~~

6 B. Subsequent to the initial adoption of the state plan and
7 for those facilities not ~~subject to chapter 24, subchapter~~
8 IV, listed under section 2163 the department shall employ a
rebuttable presumption of public benefit.

10 C. Subsequent to the adoption of the state plan and for
11 ~~these facilities subject to chapter 24, subchapter IV~~ all
12 other solid waste disposal facilities, the agency department
13 shall determine whether or not the proposed facility meets
14 the requirements of section 2157.

16 **Sec. EE-18. 38 MRSA §1310-R, sub-§4**, as affected by PL 1989,
17 c. 890, Pt. A, §40 and amended by Pt. B, §248, is repealed.

18 **Sec. EE-19. 38 MRSA §1310-S, sub-§1**, as affected by PL 1989,
19 c. 890, Pt. A, §40 and amended by Pt. B, §249, is further amended
20 to read:

22 1. **Notification.** A person applying for a license under
23 this article or giving notice to the commissioner pursuant to
24 section 485-A, shall give, at the same time, written notice to
25 the agency commissioner and to the municipal officers of the
26 municipality in which the proposed facility may be located and
27 shall publish notice of the application in a newspaper of general
28 circulation in the area.

30 **Sec. EE-20. 38 MRSA §1310-U, first ¶**, as repealed and replaced
31 by PL 1989, c. 585, Pt. E, §33, is amended to read:

34 Municipalities are prohibited from enacting stricter
35 standards than those contained in this chapter and in the solid
36 waste management rules adopted pursuant to this chapter governing
37 the hydrogeological criteria for siting or designing solid waste
38 disposal facilities or governing the engineering criteria related
39 to waste handling and disposal areas of a solid waste disposal
40 facility. Except as provided in section 2173, municipalities are
41 further prohibited from enacting or applying ordinances that
42 regulate solid waste disposal facilities owned by the agency
43 department or a regional association.

44 **Sec. EE-21. 38 MRSA §1310-X, sub-§3, ¶C**, as repealed and
45 replaced by PL 1991, c. 297, §1, is amended to read:

48 C. For a commercial solid waste disposal facility and ~~prior~~
49 ~~to the adoption of the state plan and siting criteria under~~
50 ~~chapter 24~~, the department determines that the proposed

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expansion is consistent with the provisions of section 1310-R, subsection 3, paragraph A-1 or, after the adoption of the state plan and siting criteria by the former Maine Waste Management Agency under chapter 24, the agency department determines that the provisions of section 2157 are met.

Sec. EE-22. 38 MRSA §1316-B, sub-§2, as enacted by PL 1991, c. 517, Pt. A, §2, is amended to read:

2. **Process and remove.** In consultation with the agency commissioner, cause the processing or removal of all stockpiled tires;

Sec. EE-23. 38 MRSA §1382, first ¶, as amended by PL 1991, c. 517, Pt. B, §2, is further amended to read:

Members of the board of trustees are appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over natural resources and to confirmation by the Legislature. The board of trustees consists of 8 7 members as follows: one member from the Department of Environmental Protection; one member from the Department of Agriculture, Food and Rural Resources; ~~one member from the Maine Waste--Management--Agency;~~ one member from an environmental interest group; one member from the Maine Waste Water Control Association; one member from the Maine Municipal Association; one member representing users of sludge or residuals; and one member representing generators of sludge and residuals.

Sec. EE-24. 38 MRSA c. 24, first 2 lines, are repealed and the following enacted in their place:

CHAPTER 24

MAINE WASTE MANAGEMENT

Sec. EE-25. 38 MRSA c. 24, sub-cc. I and II, as amended, are repealed.

Sec. EE-26. 38 MRSA §2131, as enacted by PL 1989, c. 585, Pt. A, §7, is repealed.

Sec. EE-27. 38 MRSA §2133, as amended by PL 1993, c. 298, §2, is repealed.

Sec. EE-28. 38 MRSA §2133-A is enacted to read:

§2133-A. Municipal recycling

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The Department of Economic and Community Development may make grants to eligible municipalities, regional associations, sanitary districts and sewer districts for the construction of public recycling facilities and the purchase of recycling equipment. The Department of Economic and Community Development may establish requirements for local cost sharing of up to 25% of the total grant amount. The Department of Economic and Community Development shall give preference to recycling programs that require the participation of the waste generators served.

Sec. EE-29. 38 MRSA §§2134 and 2135, as enacted by PL 1989, c. 585, Pt. A, §7, are repealed.

Sec. EE-30. 38 MRSA §2135-A, as enacted by PL 1991, c. 517, Pt. A, §3, is repealed.

Sec. EE-31. 38 MRSA §2136, as enacted by PL 1989, c. 585, Pt. A, §7, is repealed.

Sec. EE-32. 38 MRSA §2139, as amended by PL 1989, c. 700, Pt. A, §170, is repealed.

Sec. EE-33. 38 MRSA §2140, as enacted by PL 1989, c. 585, Pt. A, §7, is repealed.

Sec. EE-34. 38 MRSA §2151, as enacted by PL 1989, c. 585, Pt. A, §7, is amended to read:

§2151. Office of Siting and Disposal Operations

The Office of Siting and Disposal Operations, referred to as the "office" in this subchapter, is established in the Department of Environmental Protection to carry out the purposes of this subchapter. For purposes of this chapter, the term "agency" means the Department of Environmental Protection. The director of the office shall administer the office in accordance with the policies of the agency and consistent with the state waste management and recycling plan.

Sec. EE-35. 38 MRSA §2157, as amended by PL 1991, c. 517, Pt. B, 12, is further amended to read:

§2157. Review of proposed waste facilities

Subsequent to the adoption of the state plan, the Department of Environmental Protection may not approve an application of a new or expanded solid waste disposal facility requiring review under this section until the agency has approved the proposed facility under requirements of this section are met. An expansion of a commercial solid waste disposal facility or a

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solid waste disposal facility owned by a municipality or a regional association or a sanitary district created under chapter 11 or by special act of the Legislature is not subject to subsection 1, paragraph C, subparagraph (2), if the facility was licensed and in existence as of October 1, 1989, and at the time of application for the expansion.

1. Requirement. After the adoption of the state plan, no a permit for a new or expanded solid waste disposal facility may not be issued unless the applicant demonstrates to the agency department that the proposed facility:

A. Will meet capacity needs identified in the state plan in addition to capacity that is under development by-the-office under-section-2156-or by any other party approved by the office department at the time of the application;

B. Will be consistent with the state plan; and

C. Meets the following requirements:

(1) The proposed facility is consistent with local, regional or state waste collection, storage, transportation, processing or disposal; and

(2) After the adoption of the siting criteria, the proposed facility meets the criteria in section 2153.

Proceedings under this subsection are subject to the provisions of Title 5, chapter 375, subchapter IV.

Sec. EE-36. 38 MRSA §2201, first ¶, as repealed and replaced by PL 1991, c. 824, Pt. A, §88, is amended to read:

The Maine Solid--Waste--Management Environmental Resources Fund, referred to in this section as the "fund," is established as a nonlapsing fund to support programs--administered-by--the Maine-Waste-Management-Agency-and-the-Department-of-Environmental Protection recycling and solid waste programs administered by the Department of Economic and Community Development and the Department of Environmental Protection and to support capital improvements programs at state parks administered by the Bureau of Parks and Recreation within the Department of Conservation. The fund must be segregated into 2 subsidiary accounts. The first subsidiary account, called operations, receives all fees established and received under article 1. The 2nd subsidiary account, called administration, receives all fees established under this article and under Title 36, chapter 719, all funds recovered by the department as reimbursement for departmental expenses incurred to abate imminent threats to public health,

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1 safety and welfare posed by the illegal disposal of solid waste
2 and all unclaimed deposits returned to the State under Title 32,
3 chapter 28.

4
5 **Sec. EE-37. 38 MRSA §2201-A**, as enacted by PL 1989, c. 927,
6 §8, is repealed.

7
8 **Sec. EE-38. 38 MRSA §2202, sub-§1**, as enacted by PL 1989, c.
9 585, Pt. A, §7, is amended to read:

10
11 1. **Fees established.** The ~~agency~~ commissioner shall
12 establish procedures to charge fees specified in this article and
13 pursuant to the requirements of this article. All fees collected
14 by the ~~agency--shall~~ commissioner under this article must be
15 deposited into the Maine ~~Solid-Waste-Management~~ Environmental
16 Resources Fund.

17
18 **Sec. EE-39. 38 MRSA c. 24, sub-c. VII, art. 3**, as amended, is
19 repealed.

20
21 **Sec. EE-40. Transition provisions.** The following provisions
22 apply to the reassignment of the duties and responsibilities of
23 the former Maine Waste Management Agency.

24
25 1. Except as otherwise provided in this Part, the
26 Commissioner of Environmental Protection shall assume all
27 remaining duties and responsibilities of the former Maine Waste
28 Management Agency, its offices and its executive director,
29 including administration of any rules adopted by that agency
30 relating to these remaining duties. By December 1, 1993, the
31 commissioner shall submit legislation to the Second Regular
32 Session of the 116th Legislature to revise all remaining
33 references to the Maine Waste Management Agency in the Maine
34 Revised Statutes to conform to the intent of this section. That
35 legislation must include provisions establishing appropriate
36 administrative procedures for the issuance of revenue obligation
37 securities and mortgage loans to finance any waste facility or
38 the capital costs of any waste disposal service, including, but
39 not limited to, real property, personal property, machinery and
40 equipment. In developing that legislation, the commissioner must
41 refer to the provisions provided in the Maine Revised Statutes,
42 Title 38, chapter 24, subchapter VII, former article 3.

43
44 2. Unencumbered balances remaining in the Maine Waste
45 Management Fund on July 1, 1993 must be transferred to the Maine
46 Environmental Resources Fund.

47
48 3. The Revisor of Statutes shall change all references to
49 the former Maine Waste Management Fund that appear in the Maine
50 Revised Statutes to the Maine Environmental Resources Fund.

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2 4. All rules and procedures in effect, in operation or
4 adopted on the effective date of this Act in or by the former
Maine Waste Management Agency or any of its administrative units
6 or officers remain in effect until rescinded, revised or amended
by the proper authority.

8 5. The Department of Administrative and Financial Services
shall serve as the fiscal agent for the former Maine Waste
10 Management Agency for the purpose of effecting the repeal of that
agency. The duties of the Department of Administrative and
12 Financial Services are limited to those required to close out the
agency and include functions such as processing payment vouchers,
14 preparing budget documents, human resource documents, the final
personnel payrolls and other related administrative activities
16 required. Essential records related to the agency must be
transferred to the appropriate successor agency, as determined by
18 the Department of Administrative and Financial Services.

20 6. All personal property and equipment previously belonging
to or allocated for the use of the former Maine Waste Management
22 Agency must be transferred to the Department of Administrative
and Financial Services for storage, disposal or reassignment.

24 7. All existing forms, licenses, letterheads and similar
26 items bearing the name of or referring to the Maine Waste
Management Agency may be used by the Department of Economic and
28 Community Development and the Department of Environmental
Protection until existing supplies of those items are exhausted.

30 8. All real estate held by the former Maine Waste
32 Management Agency is transferred to the Department of
Environmental Protection.

34 9. The Department of Economic and Community Development is
36 the successor in every way to the Maine Waste Management Agency
for the purposes of administering municipal recycling assistance
38 grant funds authorized by Private and Special Law 1991, chapter
118.

40 **Sec. EE-41. Report.** The Commissioner of Environmental
42 Protection by January 1, 1994, shall submit a plan and necessary
legislation to the Joint Standing Committee on Energy and Natural
44 Resources to provide effective regulatory control over the
importation and disposal of solid waste from outside the State in
46 order to protect public health and safety and to conserve the
limited waste disposal capacity for the benefit of the people of
48 the State.

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2 **Sec. EE-42. Allocation.** The following funds are allocated
3 from the Maine Environmental Resources Fund to carry out the
4 purposes of this Part.

	1993-94	1994-95
CONSERVATION, DEPARTMENT OF		
Bureau of Parks and Recreation		
All Other	\$2,693,035	\$2,921,247
Provides funds for capital improvements in the state parks.		
CONSERVATION, DEPARTMENT OF		
TOTAL	<u>2,693,035</u>	<u>2,921,247</u>

20 **ECONOMIC AND COMMUNITY DEVELOPMENT,**
21 **DEPARTMENT OF**

22 **Office of Community Development**

Positions	(2.0)	(2.0)
Personal Services	117,171	118,605
All other	10,000	10,000
Provides funds for one Director of Siting and Disposal position and one Administrative Secretary position for the administration of a recycling assistance grant program.		

36 **DEPARTMENT OF ECONOMIC AND**
37 **COMMUNITY DEVELOPMENT**
38 **TOTAL**

127,171 128,605

42 **ENVIRONMENTAL PROTECTION,**
43 **DEPARTMENT OF**

44 **Solid Waste Management**

Positions - Other Count	(21.0)	(21.0)
Personal Services	878,585	892,946
All Other	289,038	297,202

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2 Provides for the allocation
 of funds for 8 Environmental
 4 Specialist II positions, 6
 Environmental Specialist II
 6 positions, 2 Environmental
 Specialist IV positions, one
 8 Hydrogeologist position, one
 Assistant Engineer position,
 one Data Control Clerk
 10 position, one Clerk Typist II
 position and one Clerk Typist
 12 III position previously
 funded from the Solid Waste
 14 Management Fund.

16 **DEPARTMENT OF ENVIRONMENTAL**
 17 **PROTECTION**
 18 **TOTAL**

	1,167,623	1,190,148
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20 **EXECUTIVE DEPARTMENT**

22 **Maine Waste Management Agency**

24 Personal Services	29,279
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26 Provides for the allocation
 of funds to cover layoff
 28 costs resulting from the
 abolishment of the Maine
 30 Waste Management Agency.

32 **Office of Planning**

34 Personal Services	38,194
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36 Provides for the allocation
 of funds to cover layoff
 38 costs resulting from the
 abolishment of the Maine
 40 Waste Management Agency.

42 **Office of Siting and Disposal**
Operations

44 Personal Services	39,609
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46 Provides for the allocation
 of funds to cover the layoff
 48 costs resulting from the
 abolishment of the Maine
 50 Waste Management Agency.

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2 **Office of Waste Reduction
and Recycling**

4 Personal Services 45,089

6 Provides for the allocation
8 of funds to cover the layoff
10 costs resulting from the
abolishment of the Maine
12 Waste Management Agency.

14 **EXECUTIVE DEPARTMENT**
TOTAL 152,171

16 **SECTION 42**
TOTAL ALLOCATIONS \$4,140,000 \$4,240,000

18 **Sec. EE-43. Allocation.** The following funds are allocated
20 from Other Special Revenue funds to carry out the purposes of
this Part.

22 **EXECUTIVE DEPARTMENT**

24 **Maine Waste Management
26 Agency**

28 **Administration - Office of
the Director**

30 Positions - Other Count (-3.0) (-3.0)
32 Personal Services (\$176,244) (\$173,656)
34 All Other (96,028) (98,953)
36 **TOTAL** (272,272) (272,609)

38 Provides for the deallocation
of funds through the
abolishment of the Maine
40 Waste Management Agency and
the elimination of one
42 Executive Director position,
one Business Manager II
44 position and one
46 Administrative Assistant
position.

48 **Office of Planning**

50 Positions - Other Count (-4.0) (-4.0)

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2	Personal Services	(223,593)	(219,573)
	All Other	(100,705)	(104,860)
4	TOTAL	<u>(324,298)</u>	<u>(324,433)</u>

6 Provides for the deallocation
of funds through the
8 abolishment of the Maine
Waste Management Agency and
10 the elimination of Director
of Planning position, one
12 Senior Planner position, one
Planner II position and one
14 Administrative Secretary
position.

18 **Office of Siting and Disposal
Operations**

20	Positions - Other Count	(-4.0)	(-4.0)
	Personal Services	(242,689)	(240,879)
22	All Other	(1,269,905)	(1,411,700)
	Capital Expenditures	(3,000)	(3,000)
24	TOTAL	<u>(1,515,594)</u>	<u>(1,655,579)</u>

26 Provides for the deallocation
of funds through the
28 abolishment of the Maine
Waste Management Agency and
30 the elimination of 2
32 Environmental Specialist IV
positions, one Director of
34 Siting and Disposal position
and one Clerk Typist II
36 position.

38 **Office of Waste Reduction and
Recycling**

40	Positions - Other Count	(-5.0)	(-5.0)
42	Personal Services	(243,657)	(245,203)
	All Other	(555,822)	(571,933)
44	Capital Expenditures	(3,000)	(3,000)
46	TOTAL	<u>(802,479)</u>	<u>(820,136)</u>

48 Provides for the deallocation
of funds through the
50 abolishment of the Maine

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Waste Management Agency and the elimination of 2 Planner II positions, one Director of Waste Reduction and Recycling position, one Development Program Manager position and one Clerk Typist III position.

EXECUTIVE DEPARTMENT

TOTAL (2,914,643) (3,072,757)

SECTION 43

TOTAL ALLOCATIONS (\$4,140,875) (\$4,321,508)

Further amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

FISCAL NOTE

This amendment will have no net effect on the General Fund appropriations and revenue and a balanced budget is maintained for fiscal year 1993-94 and fiscal year 1994-95.

This amendment abolishes the Maine Waste Management Fund and dedicates its former revenues to the newly established Maine Environmental Resources Fund. The new fund will have adequate revenues to cover the costs of various allocations included in the amendment.

STATEMENT OF FACT

This amendment abolishes the Maine Waste Management Agency. The Maine Waste Management Fund becomes the Maine Environmental Resources Fund. All money previously going to the Maine Waste Management Fund will now go to the Maine Environmental Resources Fund to be used by the Department of Economic and Community Development for municipal recycling assistance grants, by the Department of Environmental Protection for solid waste programs and by the Bureau of Parks and Recreation in the Department of Conservation for capital improvements at state parks.

Certain provisions of law are amended to accommodate the repeal of the agency including the transfer of a number of the agency's responsibilities to the Department of Environmental Protection. The Department of Environmental Protection will retain 21 positions in the Bureau of Hazardous Materials and

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2 Solid Waste Management that were previously funded from the Solid
Waste Management Fund.

4 A municipal recycling grants program is retained and
transferred to the Department of Economic and Community
6 Development and the department is designated as the successor to
the Maine Waste Management Agency for the purposes of
8 administering all municipal recycling assistance grants
authorized by bonds issued pursuant to Private and Special Law
10 1991, chapter 118.

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