

MAINE STATE LEGISLATURE

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M
R. of S.

L.D. 1884

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DATE: 4/8/94

(Filing No. H-1089)

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

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HOUSE AMENDMENT *B* to COMMITTEE AMENDMENT "A" to H.P. 1385, L.D. 1884, Bill, "An Act to Ensure Proper Funding of the Department of Environmental Protection"

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Amend the amendment by striking out all of section 5 and inserting in its place the following:

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'Sec. 5. 38 MRSA §352, sub-§5-B, as amended by PL 1993, c. 356, §4; c. 370, §2; c. 378, §3; c. 410, Pt. G, §1; c. 632, §2 and affected by c. 410, Pt. G, §2, is repealed.'

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

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'Sec. 10. Transfers to the Maine Environmental Protection Fund.

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Prior to September 1, 1994, the State Controller shall transfer \$184,000 from the unappropriated surplus of the General Fund to the Maine Environmental Protection Fund from the excess of total General Fund revenues received over accepted estimates at the close of fiscal year 1993-94. That transfer must take place only after the required transfer of funds to the Maine Rainy Day Fund pursuant to the Maine Revised Statutes, Title 5, section 1513 and only if sufficient unappropriated surplus remains to transfer a total of \$184,000 to the Maine Environmental Protection Fund.

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Sec. 11. Effective date. If there is insufficient unappropriated surplus in the General Fund to provide for the transfer of funds pursuant to section 10, section 4 takes effect September 1, 1994 and is retroactive to July 1, 1994. If there is sufficient unappropriated surplus in the General Fund to provide for the transfer of funds pursuant to section 10, section 4 does not take effect.'

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HOUSE AMENDMENT

R & S.

HOUSE AMENDMENT *B* to COMMITTEE AMENDMENT "A" to H.P. 1385,
L.D. 1884

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

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6 **FISCAL NOTE**

1994-95

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10 **APPROPRIATIONS/ALLOCATIONS**

12 Other Funds (\$249,517)

14 This bill includes various allocations and deallocations
from the Maine Environmental Protection Fund program, the Bureau
of Air Quality Control and the Bureau of Hazardous Materials and
16 Solid Waste Control for fiscal year 1994-95 to transfer funding
responsibilities and realign program activities. The overall
18 result is a \$189,078 net deallocation of federal funds and a
\$60,439 net deallocation of dedicated revenue. A total of 6
20 positions that are eliminated in this bill are reestablished as
General Fund positions at a total cost of \$300,000 for fiscal
22 year 1994-95 in the committee amendment to the supplemental
budget bill (LD 1761).

24 If \$184,000 is available from the unappropriated surplus of
26 the General Fund for fiscal year 1993-94, those funds will be
transferred to the Maine Environmental Protection Fund and the
28 scheduled fee increases will not take place. If the transfer of
funds does not take place by September 1, 1994, then the increase
30 of various fees collected by the Department of Environmental
Protection for the fund will result in an estimated annual
32 increase of \$184,000 in dedicated revenue beginning in fiscal
year 1994-95.'

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36 **STATEMENT OF FACT**

38 This amendment directs the State Controller to transfer
40 \$184,000 from the unappropriated surplus of the General Fund to
the Maine Environmental Protection Fund, if sufficient funds
42 remain after the required transfer of funds to the Maine Rainy
Day Fund.

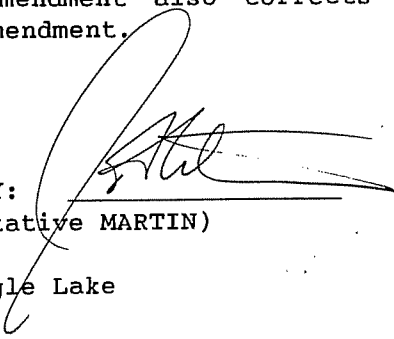
44 If sufficient funds remain and that transfer is accomplished
46 prior to September 1, 1994, the fee increases proposed in the
committee amendment do not take effect.

48 If that transfer does not take place prior to September 1,
50 1994, the fee increases proposed in the committee amendment take
effect on September 1, 1994.

R. & S.

HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to H.P. 1385,
L.D. 1884

This amendment also corrects a technical conflict in the
committee amendment.

SPONSORED BY: 
(Representative MARTIN)

TOWN: Eagle Lake

HOUSE AMENDMENT