

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 2145

DATE: 4/1/02

(Filing No. H-1047)

NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1642, L.D. 2145, Bill, "An Act to Include all State-supported Institutions of Higher Education in the Clean Government Initiative"

Amend the bill in section 1 in that part designated "§343-H." in subsection 1 (page 1, lines 14 to 16 in L.D.) by striking out all of the last sentence and inserting in its place the following: 'The initiative is jointly directed by the commissioner and, the Commissioner of Administrative and Financial Services, the Chancellor of the University of Maine System or the chancellor's designee and the President of the Maine Technical College System or the president's designee, referred to in this section as the "directors."'

Further amend the bill in section 1 in that part designated "§343-H." in subsection 3 by striking out all of paragraph B and inserting in its place the following:

'B. Develop a biennial plan that outlines the actions the agency or state-supported institution of higher learning will take to incorporate compliance efforts and environmentally sustainable practices into its planning and operational functions. To facilitate incorporation into the biennial budget process, these plans for state agencies other than the state-supported institutions of higher learning must be submitted to the directors prior to June 1st of each even-numbered year, beginning in 2002. The plans for state-supported institutions of higher learning

COMMITTEE AMENDMENT

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2 must be submitted to the directors prior to June 1st of each
odd-numbered year, beginning in 2003;'

4 Further amend the bill in section 1 in that part designated
6 "**§343-H.**" by striking out all of subsection 4 and inserting in
its place the following:

8 '4. **Reporting.** ~~Beginning--on--January---1,---2003,---and~~
~~biennially--thereafter,--the~~ The directors shall jointly report on
10 the activities of all state agencies under the initiative to the
joint standing committee of the Legislature having jurisdiction
12 over natural resources matters and the joint standing committee
of the Legislature having jurisdiction over state government
14 matters. The directors must submit their report for state
agencies other than the state-supported institutions of higher
learning no later than January 1, 2003, and biennially
thereafter, and must submit their report for state-supported
institutions of higher learning no later than January 1, 2004,
and biennially thereafter. The report must identify the
20 successes of and the obstacles to implementation of the
initiative and may include recommendations for any statutory
22 changes necessary to accomplish the initiative.'

24 Further amend the bill by inserting after section 1 the
following:

26 'Sec. 2. **State-supported institutions of higher learning to use existing**
budgeted resources. The University of Maine System, the Maine
28 Maritime Academy and the Maine Technical College System must
utilize existing budgeted resources to comply with the
30 requirements of the Maine Revised Statutes, Title 38, section
32 343-H, except that the University of Maine System is not required
to utilize more than \$300,000 of its existing budgeted resources
34 to comply with the audit provisions of Title 38, section 343-H,
subsection 3, paragraph A. If the University of Maine System is
36 not able to fully comply with the audit provisions of Title 38,
section 343-H, subsection 3, paragraph A after expending \$300,000
38 of its existing budgeted resources on those audit provisions, the
Chancellor of the University of Maine System shall include a
40 request to fund all remaining tasks necessary to fully comply
with those audit provisions in the report submitted by the
42 directors of the Clean Government Initiative as provided in Title
38, section 343-H, subsection 4. That request must include a
44 detailed budget specifying how the University of Maine System
spent the first \$300,000 of existing budgeted resources towards
46 compliance of those audit provisions and specifying the cost and
the timetable for completing each task required to achieve full
48 compliance with those audit provisions.'

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2 Further amend the bill by inserting at the end before the
summary the following:

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FISCAL NOTE

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8 This bill expands the Clean Government Initiative to include
the University of Maine System, the Maine Maritime Academy and
10 the Maine Technical College System and requires these
state-supported institutions of higher learning to fund the costs
associated with implementing this initiative utilizing existing
12 budgeted resources.

14

This bill requires the University of Maine System to
16 implement the Clean Government Initiative utilizing existing
budgeted resources of not more than \$300,000. The university
estimates the cost to fully implement the initiative to be
18 \$1,927,000. This bill specifies that, if the university is not
able to fully comply with the audit provisions after expending
20 \$300,000 of its existing budgeted resources, the university must
include a request to fund all remaining tasks in the required
22 report. The request must include information on how the first
\$300,000 of existing resources were spent and the cost and
24 timetable for completing the remaining tasks to reach full
compliance.

26

The additional cost to the Maine Technical College System to
28 implement the Clean Government Initiative is estimated to be
\$630,000. The ability of the Maine Technical College System to
30 implement the requirements of the initiative within existing
budgeted resources, without affecting existing programs and
32 services, can not be determined at this time.

34

The Maine Maritime Academy will incur some minor additional
costs to implement the Clean Government Initiative. These costs
36 can be absorbed within the academy's existing budgeted resources.

38

The Department of Environmental Protection will incur some
minor additional costs to administer the expanded Clean
40 Government Initiative. These costs can be absorbed within the
department's existing budgeted resources.

42

The University of Maine System and the Maine Technical
44 College System will incur some minor additional costs to serve as
directors of the Clean Government Initiative. These costs can be
46 absorbed within each system's existing budgeted resources.'

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SUMMARY

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This amendment adds the Chancellor of the University of
4 Maine System and the President of the Maine Technical College
System to the directors of the Clean Government Initiative and
6 provides for a schedule of reporting on the progress of the
state-supported institutions of higher learning towards complying
8 with the goals of the initiative.

10

The amendment also requires the state-supported institutions
of higher learning to utilize existing budgeted resources to meet
12 the requirements of the initiative, except that the University of
Maine System is not expected to expend more than \$300,000 of its
14 existing budgeted resources to meet the provisions regarding
auditing for compliance with state and federal environmental
16 laws. Additional funds needed to comply with those audit
provisions, in excess of the first \$300,000 of existing budgeted
18 resources, must be requested by the Chancellor of the University
of Maine System in the biennial report of the directors of the
20 initiative.