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 ROGER L. SHERMAN, DISTRICT 34  
 SETH A. GOODALL, DISTRICT 19

O.F.P.R.

2011 FEB -1 AM 9:37

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 DENISE PATRICIA HARLOW, PORTLAND

## STATE OF MAINE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

**MEMORANDUM**

TO: Senator Richard Rosen, Senate Chair  
 Representative Patrick Flood, House Chair  
 Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Tom Saviello, Senate Chair *TS*  
 Representative Jim Hamper, House Chair *JH*  
 Joint Standing Committee on Environment and Natural Resources

DATE: February 1, 2011

SUBJ: Recommendations on the Governor's Proposed Supplemental Budget (LD 100)

The Joint Standing Committee on Environment and Natural Resources reviewed the budget items in LD 100 that pertain to the agencies under the Committee's jurisdiction. The Committee's vote is reflected below and on the attached *Committee Budget Document* pages ENR-1 through ENR-7 and the *Committee Recommendation for Changes to Governor's Budget*.

**1. Proposed reductions in funding to JETCC, Saco River Corridor Commission and St. Croix International Waterway Commission.**

The 8 members present and voting do **not** support the proposed reductions in funding for the following agencies:

- JETCC - \$79 proposed reduction (Ref #: 522 on page ENR-2)
- Saco River Corridor Commission - \$466 proposed reduction (Ref #: 486 on page ENR-3)
- St. Croix International Waterway Commission - \$217 proposed reduction (Ref #: 498, page ENR-4).

To offset our rejection of these proposals, the Committee recommends transferring an additional \$762 in unexpended funds from the Ground Water Oil Clean-up Fund, Other Special Revenue Funds account in the Department of Environmental Protection to the General Fund. (See amended language to PART J, Sec. J-2 in the attached *Committee Budget Document*.)

**2. Other proposals in the Governor's proposed budget.**

The 8 members present and voting recommend acceptance of the other items in the Governor's proposed budget.

The 8 members present and voting:

Senator Saviello

Senator Goodall

Rep. Hamper

Rep. Knapp

Rep. Welsh

Rep. Parker

Rep. Long

Rep. Harlow

Please let us know if we can provide any additional information or assistance in connection with budget items related to the agencies under our jurisdiction.

Enc.

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs  
Members, Joint Standing Committee on Environment and Natural Resources

Committee Recommendations for Changes to Governor's Budget Proposal (Unanimous)

Name of Committee: ENR

LD: 100 Date of Report: 2-1-11

GF Cost (Savings)		Change in Headcount (All Funds)		Vote
FY11		FY11		

<b>Governor's GF Budget Initiatives Net Cost (Savings)</b>	<b>(\$70,781)</b>			
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**Initiatives Rejected by Committee & Effect on Net GF Cost or Savings**

Page	Reference/ Part	Summary of Initiative				
ENR-2	522	Reduces funding to NEIWPCC - JETCC	\$79			
ENR-3	486	Reduces funding on a one-time basis to Saco River Corridor Commission	\$466			
ENR-4	498	Reduces funding to St. Croix International Waterway Commission	\$217			
<b>Total Cost (Savings) From Rejected Initiatives</b>			<b>\$762</b>			

**Initiatives Amended by Committee & Effect on Net GF Cost or Savings**

Page	Reference/ Part	Description of Amendment (Attach Revised Initiative Description or Language)				
ENR-7	Part J-2	Transfers \$762 in unexpended funds from the Ground Water Oil Clean-up Fund, OSR Funds account in DEP to General Fund (See amended language on p. ENR-7)	(\$762)			
<b>Total Cost (Savings) From Amended Initiatives</b>			<b>(\$762)</b>			

**Initiatives Added by Committee & Effect on Net GF Cost or Savings**

		Summary of Initiative (Attach Full Initiative Description or Language)				
<b>Total Cost (Savings) From Additional Initiatives</b>						

<b>Total Additions to or Subtraction from Governor's Net Total</b>	<b>\$0</b>			
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<b>POLICY COMMITTEE'S GF Budget Initiatives Net Cost (Savings)</b>	<b>(\$70,781)</b>			
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Sec. A-19. Appropriations and allocations. The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Air Quality 0250**

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the management of vacant positions in fiscal year 2010-11. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 224

Committee Vote: In 8-0 AFA Vote: \_\_\_\_\_

GENERAL FUND	2010-11	2011-12	2012-13
Personal Services	(\$10,972)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$10,972)</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

This one-time reduction is possible without massive disruption to state environmental services because short-term program adjustments at the Department of Environmental Protection were possible during the first quarter of fiscal year 2010-11.

**Land and Water Quality 0248**

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the management of vacant positions in fiscal year 2010-11. This initiative relates to curtailment of allotments ordered by the Governor pursuant to the Maine Revised Statutes, Title 5, section 1668.

Ref. #: 222

Committee Vote: In 8-0 AFA Vote: \_\_\_\_\_

GENERAL FUND	2010-11	2011-12	2012-13
Personal Services	(\$47,862)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$47,862)</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

This one-time reduction is possible without massive disruption to state environmental services because short-term program adjustments at the Department of Environmental Protection were possible during the first quarter of fiscal year 2010-11.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
GENERAL FUND	(\$58,834)	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$58,834)</b>	<b>\$0</b>	<b>\$0</b>

Sec. A-41. Appropriations and allocations. The following appropriations and allocations are made.

**NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION**

**Maine Joint Environmental Training Coordinating Committee 0980**

Initiative: Reduces funding to maintain costs within available resources.

Ref. #: 522

Committee Vote: Out 8-0

AFA Vote: \_\_\_\_\_

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$79)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$79)</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

Repeated funding reductions raise concerns about the viability of continuing a JETCC training program in the State of Maine. If the State wishes to maintain a Maine-based program to assist its agencies in meeting their educational and outreach needs, it can be reasonably expected that the State not subject JETCC to a continual erosion of financial support.

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**NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION**

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$79)	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$79)</b>	<b>\$0</b>	<b>\$0</b>

Sec. A-48. Appropriations and allocations.

The following appropriations and allocations are made.

**SACO RIVER CORRIDOR COMMISSION**

**Saco River Corridor Commission 0322**

Initiative: Reduces funding on a one-time basis to maintain costs within available resources.

Ref. #: 486

Committee Vote: Out 8-0

AFA Vote: \_\_\_\_\_

GENERAL FUND	2010-11	2011-12	2012-13
All Other	(\$466)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	(\$466)	\$0	\$0

**Justification:**

Water quality lab work will be eliminated at several sites and capital improvements will be delayed.

**Saco River Corridor Commission 0322**

Initiative: Provides funding to appropriately recognize the level of funding received.

Ref. #: 487

Committee Vote: In 8-0

AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2010-11	2011-12	2012-13
All Other	\$6,000	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	\$6,000	\$0	\$0

**Justification:**

The funding from the Biddeford/Saco Water District has been higher than budgeted, requiring the processing of a financial order each year to access available funding. This initiative will eliminate the need to process a financial order.

**SACO RIVER CORRIDOR COMMISSION**

DEPARTMENT TOTALS	2010-11	2011-12	2012-13
GENERAL FUND	(\$466)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$6,000	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	\$5,534	\$0	\$0

Sec. A-50. Appropriations and allocations. The following appropriations and allocations are made.

**ST. CROIX INTERNATIONAL WATERWAY COMMISSION**

**t. Croix International Waterway Commission 0576**

Initiative: Reduces funding to maintain costs within available resources.

Ref. #: 498

Committee Vote: Out 8-0

AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
All Other	(\$217)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$217)</b>	<b>\$0</b>	<b>\$0</b>

**Justification:**

Reduces planning and program support to Maine agencies, towns and organizations from 11 hours to 9 hours per week.

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**ST. CROIX INTERNATIONAL WATERWAY COMMISSION**

<b>DEPARTMENT TOTALS</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
GENERAL FUND	(\$217)	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$217)</b>	<b>\$0</b>	<b>\$0</b>

**Sec. B-1. Appropriations and allocations.**

The following appropriations and allocations are made.

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**Remediation and Waste Management 0247**

Initiative: RECLASSIFICATIONS

Ref. #: 216

Committee Vote: In 8-0

AFA Vote: \_\_\_\_\_

**FEDERAL EXPENDITURES FUND**

	2010-11	2011-12	2012-13
Personal Services	\$4,246	\$0	\$0
All Other	\$126	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$4,372</b>	<b>\$0</b>	<b>\$0</b>

Ref. #: 217

Committee Vote: In 8-0

AFA Vote: \_\_\_\_\_

**OTHER SPECIAL REVENUE FUNDS**

	2010-11	2011-12	2012-13
Personal Services	\$14,684	\$0	\$0
All Other	(\$11,716)	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$2,968</b>	<b>\$0</b>	<b>\$0</b>

**ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

**DEPARTMENT TOTALS**

	2010-11	2011-12	2012-13
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$4,372</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$2,968</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$7,340</b>	<b>\$0</b>	<b>\$0</b>



In 8-0

1 **Be it enacted by the People of the State of Maine as follows:**

2 **PART I**

3 **Sec. I-1. Department of Environmental Protection; unexpended funds.**  
4 Notwithstanding any other provision of law, the State Controller shall transfer \$11,185 of  
5 unexpended funds from the Land and Water Quality program, General Fund carrying  
6 account, All Other line category, to the unappropriated surplus of the General Fund no  
7 later than June 30, 2011.

8 **SUMMARY**

9 **PART I**

10 This Part lapses \$11,185 of unexpended funds in the Department of Environmental  
11 Protection, Land and Water Quality program General Fund carrying account to the  
12 General Fund unappropriated surplus no later than June 30, 2011.

**Fiscal Note - Part I**

	<b>FY 2010-11</b>	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>Projections FY 2013-14</b>	<b>Projections FY 2014-15</b>
<b>Transfers</b>					
<b>General Fund</b>					
PART I, Section 1	\$11,185	\$0	\$0	\$0	\$0

In as amended  
8-0

1 Be it enacted by the People of the State of Maine as follows:

2 PART J

3 Sec. J-1. PL 2009, c. 571, Part I, §1 is repealed.

4 Sec. J-2. Transfer; unexpended funds; Ground Water Oil Clean-up Fund  
5 account. Notwithstanding any other provision of law, the State Controller shall transfer  
6 ~~\$987,605~~ in unexpended funds from the Ground Water Oil Clean-up Fund, Other Special  
7 Revenue Funds account in the Department of Environmental Protection to General Fund  
8 unappropriated surplus at the close of fiscal year 2010-11.

9 \$988,367

SUMMARY

10 PART J

11 This Part repeals the provision of law that requires the State Controller to transfer  
12 unexpended funds of \$987,605 from the Maine Solid Waste Management Fund, Other  
13 Special Revenue Funds account in the Department of Administrative and Financial  
14 Services to General Fund unappropriated surplus at the close of fiscal year 2010-11 and  
15 replaces this transfer with a transfer of the same amount from the Ground Water Oil  
16 Clean-up Fund, Other Special Revenue Funds account in the Department of  
17 Environmental Protection. The balance in the Maine Solid Waste Management Fund is  
18 committed for program operation and is no longer available for transfer.

*This Part also transfers an additional \$762 from the Ground Water  
Oil Clean-up Fund to the General Fund to maintain current funding  
levels for JETCC,  
Saco River Corridor Commission and St. Croix International Waterway Commission*

Fiscal Note - Part J

	FY 2010-11	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
<b>Transfers</b>					
<b>General Fund</b>					
PART J, Section 1	(\$987,605)	\$0	\$0	\$0	\$0
PART J, Section 2	<del>\$987,605</del> \$988,367	\$0	\$0	\$0	\$0
<b>Other Special Revenue Funds</b>					
PART J, Section 1	\$987,605	\$0	\$0	\$0	\$0
PART J, Section 2	<del>(\$987,605)</del> (\$988,367)	\$0	\$0	\$0	\$0