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STATE OF MAINE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

COMMITTEE ON NATURAL RESOURCES

MEMORANDUM

TO: Senator Bill Diamond, Senate Chair
Representative Emily Cain, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Seth Goodall, Senate Chair *SJB*
Representative Bob Duchesne, House Chair *RBD*
Joint Standing Committee on Natural Resources

DATE: January 15, 2009

SUBJ: Recommendations on the Governor's Proposed Supplemental Budget (LD 45)

The Joint Standing Committee on Natural Resources reviewed the budget items in LD 45 that pertain to the agencies under the Committee's jurisdiction and make the following recommendations:

Maine Joint Environmental Training Coordinating Committee (JETCC)

The 11 members present and voting recommend acceptance of the reduction in funding for JETCC as printed in LD 45 and as presented in OFPR Worksheet ref. #: 676-P129.

Saco River Corridor Commission

The 11 members present and voting recommend acceptance of the reduction in funding for the Saco River Corridor Commission as printed in LD 45 and as presented in OFPR Worksheet ref. #: 663-P138.

Department of Environmental Protection

The 11 members present and voting recommend acceptance of the Department of Environmental Protection's budget proposals contained in Part A and Part B of LD 45 with an amendment to correct a misprint in the bill.

- Proposed Amendment: LD 45, page 61, line 17 and OFPR Worksheet, ref. #: 384-P61

This initiative proposes to reorganize an Environmental Engineer Specialist position to an Environmental Specialist "III" position. The savings amount shown in LD 45 is correct for a reorganization to an ES-III but the bill incorrectly states that the position is reorganized to an Environmental Specialist "II" position. The correction was made in the OFPR Worksheet but LD 45 needs to be amended to reflect the correct change in position.

The amended language should read:

Land and Water Quality 0248

Initiative: Reorganizes one Environmental Engineer Specialist position to one Environmental Specialist-II- III position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$16,188)	\$0	\$0
	_____	_____	_____
GENERAL FUND TOTAL	(\$16,188)	\$0	\$0

Attached is the OFPR Worksheet indicating the Committee vote on each initiative.

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 Natural Resources

G:\COMMITTEES\NAT\Budget\124th 1st\Supp Budget\Recommendation letter to AFA.doc (1/14/2009 12:03:00 PM)

Sec. A-1. Appropriations and allocations.

The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection 0251

Initiative: Adjusts funding for anticipated changes in heating fuel costs.

Ref. #: 371 - P58

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,683	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,683	\$0	\$0

Justification:

Adjusts funding due to a change in utility rates received from the Bureau of General Services.

Administration - Environmental Protection 0251

Initiative: Adjusts funding for anticipated changes in utility costs.

Ref. #: 372 - P58

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,745	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,745	\$0	\$0

Justification:

Adjusts funding due to a change in utility rates received from the Bureau of General Services.

Administration - Environmental Protection 0251

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

Ref. #: 373 - P58

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	3,000	0,000	0,000
Personal Services	\$160,643	\$0	\$0
All Other	\$5,923	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$166,566	\$0	\$0

Justification:

Needed to align the function of these positions with appropriate funding sources.

Administration - Environmental Protection 0251

Initiative: Aligns funding of current property lease agreements with program areas using the space.

Ref. #: 374 - P59

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	(\$182,190)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$182,190)	\$0	\$0

Justification:

Needed to allocate leased space costs by the percentage occupied in order to conform with current federal guidelines covering indirect cost allocation.

Administration - Environmental Protection 0251

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

Ref. #: 375 - P59

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$213	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$213	\$0	\$0

Justification:

Essential because Central Fleet Management increased rates it will charge for existing vehicles, projected for fiscal year 2009.

Administration - Environmental Protection 0251

Initiative: Reorganizes 2 Resource Administrator positions to 2 Public Service Coordinator I positions.

Ref. #: 376 - P59

Committee Vote: Accept: 11-0 AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	\$550	\$0	\$0
All Other	(\$550)	\$0	\$0
GENERAL FUND TOTAL	\$0	\$0	\$0

Ref. #: 377 - P59

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$648	\$0	\$0
All Other	\$95	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$743	\$0	\$0

Justification:

Reorganization is needed to align positions with nature of functions.

Administration - Environmental Protection 0251

Initiative: Reduces funding by recognizing one-time savings from the management of vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 379 - P60

Committee Vote: Accept: 11-0 AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$229,583)	\$0	\$0
GENERAL FUND TOTAL	(\$229,583)	\$0	\$0

Justification:

D.E.P. maintained vacant positions in FY09 anticipating ongoing deterioration of economic conditions in the State. These vacancies cause program disruptions and delayed service to individuals, legislators, other government officials, and regulated entities since insufficient staffing levels prevent timely service.

Administration - Environmental Protection 0251

Initiative: Eliminates one Toxicologist position in the Remediation and Waste Management program Federal Expenditures Fund; 2 Environmental Specialist II positions and one Environmental Specialist III position in the Maine Environmental Protection Fund program; and one Office Associate II position in the Administration - Environmental Protection program Other Special Revenue Funds. The savings will be used to offset collective bargaining costs in fiscal year 2008-09.

Ref. #: 380 - P60

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Justification:

None provided.

Air Quality 0250

Initiative: Adjusts funding for anticipated changes in utility costs.

Ref. #: 381 - P60

Committee Vote: Accept: 11-0 AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	\$1,382	\$0	\$0
GENERAL FUND TOTAL	\$1,382	\$0	\$0

Justification:

Adjusts funding due to a change in utility rates received from the Bureau of General Services.

Air Quality 0250

Initiative: Reduces funding by recognizing one-time savings from the management of vacant positions in fiscal year 2008-09. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 382 - P61

Committee Vote: Accept: 11-0 AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
Personal Services	(\$108,927)	\$0	\$0
GENERAL FUND TOTAL	(\$108,927)	\$0	\$0

Justification:

D.E.P. maintained vacant positions in FY09 anticipating ongoing deterioration of economic conditions in the State. These vacancies cause program disruptions and delayed service to individuals, legislators, other government officials, and regulated entities since insufficient staffing levels prevent timely service.

Land and Water Quality 0248

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

Ref. #: 383 - P61

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$88	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$88	\$0	\$0

Justification:

Essential because Central Fleet Management increased rates it will charge for existing vehicles, projected for fiscal year 2009.

Land and Water Quality 0248

Initiative: Reorganizes one Environmental Engineer Specialist position to one Environmental Specialist III position. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 384 - P61

Committee Vote: Accept with amendment AFA Vote: _____

GENERAL FUND

Personal Services

GENERAL FUND TOTAL

	2008-09	2009-10	2010-11
	(\$16,188)	\$0	\$0
	(\$16,188)	\$0	\$0

to LD 45, page 61, line 17. See cover letter. 11-0

Justification:

This position management change reduces the cost of implementing water quality programs while minimizing the loss of the technical expertise required to implement them.

Maine Environmental Protection Fund 0421

Initiative: Adjusts funding for anticipated changes in utility costs.

Ref. #: 385 - P61

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

All Other

OTHER SPECIAL REVENUE FUNDS TOTAL

	2008-09	2009-10	2010-11
	\$681	\$0	\$0
	\$681	\$0	\$0

Justification:

Adjusts funding due to a change in utility rates received from the Bureau of General Services.

Maine Environmental Protection Fund 0421

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

Ref. #: 386 - P62

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS

POSITIONS - LEGISLATIVE COUNT

Personal Services

All Other

OTHER SPECIAL REVENUE FUNDS TOTAL

	2008-09	2009-10	2010-11
	(1,000)	0.000	0.000
	(\$51,200)	\$0	\$0
	(\$1,888)	\$0	\$0
	(\$53,088)	\$0	\$0

Justification:

Needed to align the function of these positions with appropriate funding sources.

Maine Environmental Protection Fund 0421

Initiative: Aligns funding of current property lease agreements with program areas using the space.

Ref. #: 387 - P62

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$53,046	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$53,046	\$0	\$0

Justification:

Needed to allocate leased space costs by the percentage occupied in order to conform with current federal guidelines covering indirect cost allocation.

Maine Environmental Protection Fund 0421

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

Ref. #: 388 - P62

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$2,351	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,351	\$0	\$0

Justification:

Essential because Central Fleet Management increased rates it will charge for existing vehicles, projected for fiscal year 2009.

Maine Environmental Protection Fund 0421

Initiative: Eliminates one Toxicologist position in the Remediation and Waste Management program Federal Expenditures Fund; 2 Environmental Specialist II positions and one Environmental Specialist III position in the Maine Environmental Protection Fund program; and one Office Associate II position in the Administration - Environmental Protection program Other Special Revenue Funds. The savings will be used to offset collective bargaining costs in fiscal year 2008-09.

Ref. #: 389 - P63

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(3.000)	0.000	0.000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0	\$0

Justification:
None provided.

Performance Partnership Grant 0851

Initiative: Adjusts funding for anticipated changes in utility costs.

Ref. #: 390 - P63

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$1,382	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$1,382	\$0	\$0

Justification:
Adjusts funding due to a change in utility rates received from the Bureau of General Services.

Performance Partnership Grant 0851

Initiative: Aligns funding of current property lease agreements with program areas using the space.

Ref. #: 391 - P63

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$14,723	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$14,723	\$0	\$0

Justification:
Needed to allocate leased space costs by the percentage occupied in order to conform with current federal guidelines covering indirect cost allocation.

Performance Partnership Grant 0851

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

Ref. #: 392 - P63

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$645	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$645	\$0	\$0

Justification:

Essential because Central Fleet Management increased rates it will charge for existing vehicles, projected for fiscal year 2009.

Remediation and Waste Management 0247

Initiative: Adjusts funding for anticipated changes in utility costs.

Ref. #: 393 - P64

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$5,706	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$5,706	\$0	\$0

Justification:

Adjusts funding due to a change in utility rates received from the Bureau of General Services.

Remediation and Waste Management 0247

Initiative: Transfers one Office Assistant II position from the Maine Environmental Protection Fund program, one Office Associate I position and one Accounting Associate I position from the Remediation and Waste Management program to the Administration - Environmental Protection program.

Ref. #: 396 - P64

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(2,000)	0.000	0.000
Personal Services	(\$109,443)	\$0	\$0
All Other	(\$4,035)	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$113,478)	\$0	\$0

Justification:

Needed to align the function of these positions with appropriate funding sources.

Remediation and Waste Management 0247

Initiative: Aligns funding of current property lease agreements with program areas using the space.

Ref. #: 397 - P64

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$114,421	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	\$114,421	\$0	\$0
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Justification:

Needed to allocate leased space costs by the percentage occupied in order to conform with current federal guidelines covering indirect cost allocation.

Remediation and Waste Management 0247

Initiative: Provides funding required as a result of increased Central Fleet Management rates.

Ref. #: 401 - P64

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
All Other	\$186	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$186	\$0	\$0

Ref. #: 403 - P65

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
All Other	\$4,750	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,750	\$0	\$0

Justification:

Essential because Central Fleet Management increased rates it will charge for existing vehicles, projected for fiscal year 2009.

Remediation and Waste Management 0247

Initiative: Reorganizes one Resource Administrator position to one Public Service Coordinator I position.

Ref. #: 408 - P65

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$552	\$0	\$0
All Other	\$81	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$633	\$0	\$0

Justification:

Reorganization is needed to align positions with nature of functions.

Remediation and Waste Management 0247

Initiative: Eliminates one Toxicologist position in the Remediation and Waste Management program Federal Expenditures Fund; 2 Environmental Specialist II positions and one Environmental Specialist III position in the Maine Environmental Protection Fund program; and one Office Associate II position in the Administration - Environmental Protection program Other Special Revenue Funds. The savings will be used to offset collective bargaining costs in fiscal year 2008-09.

Ref. #: 409 - P65

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	0.000	0.000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0	\$0

ENVIRONMENTAL PROTECTION, DEPARTMENT OF DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$353,316)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$17,569	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$5,237	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$330,510)	\$0	\$0

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

Maine Joint Environmental Training Coordinating Committee 0980

Initiative: Reduces funding to maintain costs within available resources. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 676 - P129

Committee Vote: Accept: 11-0 AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$493)	\$0	\$0
GENERAL FUND TOTAL	(\$493)	\$0	\$0

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, it can reasonably expect that the State not subject JETCC to a continual erosion of financial support.

NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$493)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$493)	\$0	\$0

SACO RIVER CORRIDOR COMMISSION

Saco River Corridor Commission 0322

Initiative: Reduces funding for the water quality monitoring system. This initiative relates to the curtailments ordered in Financial Order 004576 F9.

Ref. #: 663 - P138

Committee Vote: Accept: 11-0 AFA Vote: _____

GENERAL FUND	2008-09	2009-10	2010-11
All Other	(\$2,912)	\$0	\$0
GENERAL FUND TOTAL	(\$2,912)	\$0	\$0

Justification:

Monitoring will begin one month later in the spring and finish one month earlier in the fall. The number of sites currently testing for all chemical parameters will be reduced from 19 to 13.

SACO RIVER CORRIDOR COMMISSION

DEPARTMENT TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$2,912)	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$2,912)	\$0	\$0

SECTION TOTALS	2008-09	2009-10	2010-11
GENERAL FUND	(\$356,721)	\$0	\$0
FEDERAL EXPENDITURES FUND	\$17,569	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$5,237	\$0	\$0
SECTION TOTAL - ALL FUNDS	(\$333,915)	\$0	\$0

Sec. B-1. Appropriations and allocations.

The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Maine Environmental Protection Fund 0421

Initiative: RECLASSIFICATIONS

Ref. #: 715

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$4,900	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$4,900	\$0	\$0

Performance Partnership Grant 0851

Initiative: RECLASSIFICATIONS

Ref. #: 716

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$7,591	\$0	\$0
All Other	\$280	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$7,871	\$0	\$0

Remediation and Waste Management 0247

Initiative: RECLASSIFICATIONS

Ref. #: 718

Committee Vote: Accept: 11-0 AFA Vote: _____

FEDERAL EXPENDITURES FUND	2008-09	2009-10	2010-11
Personal Services	\$10,817	\$0	\$0
All Other	\$399	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	\$11,216	\$0	\$0

Ref. #: 719

Committee Vote: Accept: 11-0 AFA Vote: _____

OTHER SPECIAL REVENUE FUNDS	2008-09	2009-10	2010-11
Personal Services	\$34,635	\$0	\$0
All Other	\$947	\$0	\$0
OTHER SPECIAL REVENUE FUNDS TOTAL	\$35,582	\$0	\$0

ENVIRONMENTAL PROTECTION, DEPARTMENT OF
DEPARTMENT TOTALS

	2008-09	2009-10	2010-11
FEDERAL EXPENDITURES FUND	\$19,087	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$40,482	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>\$59,569</u>	<u>\$0</u>	<u>\$0</u>