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State of Maine  
 ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE  
 COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

TO: Senator Dawn Hill, Senate Chair  
 Representative Margaret Rotundo, House Chair  
 Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Troy D. Jackson, Senate Chair <sup>TJ</sup>  
 Representative James F. Dill, House Chair <sub>JD</sub>  
 Joint Standing Committee on Agriculture, Conservation and Forestry

DATE: February 1, 2013

RE: Recommendations on LR 1045, Supplemental Budget

Pursuant to Joint Rule 314, our committee has reviewed the portions of LR 1045 relating to the committee's subject matter jurisdiction and has voted to support all the provisions as presented with the exception of Section A-8, Ref. # 114 (ACF 3) and Part J-1.

The committee voted unanimously to support a correction of program name and code in Section A-8, Ref. # 114. The amended version (attached item #1) strikes out the current program name and code and replaces it with the correct program name and code. This proposed change does not alter the total of the supplemental budget changes proposed by the Department of Agriculture, Conservation and Forestry.

The committee voted 11-2 to support an amendment that would amend the language in section J-1, which currently redirects revenue to a dedicated account to allow for payment of leases for state park land. Revenues not used to pay leases would be deposited in the General Fund under the current language, excepting certain fees paid for the Allagash Wilderness Waterway. After discussion, the committee concluded that the broad language in the current Section J-1 might obligate the Legislature to pay for future leases held by the Department without the opportunity to know any specifics about those leases, particularly the amount of revenue needed to fund them. The majority committee vote proposes that the Appropriations Committee strike and replace section J-1 (see attached item #2) so that the amendment to 12 MRSA §1819, second ¶ only obligates payment of the lease for Crescent Beach State Park from state park user fees prior to the balance of those fees accruing to the General Fund. This proposed change does not alter the proposed total of supplemental budget changes proposed by the Department of Agriculture, Conservation and Forestry.

The minority report on J-1 was a vote recommending against section J-1 being included in the supplemental budget, either in its original or amended form.

The Committee also requested that the Department report back to the Committee later in the session on the status of the Crescent Beach State Park lease issue.

Encl.

cc: Members, Joint Standing Committee on Appropriations and Financial Affairs  
Members, Joint Standing Committee on Agriculture, Conservation and Forestry

SUGGESTED AMENDMENTS FROM THE JOINT STANDING COMMITTEE ON  
AGRICULTURE, CONSERVATION AND FORESTRY

COMMITTEE AMENDMENT "." TO LR 1045

Item 1.

Amend the bill on Page ACF 3, section A-8, third ¶ to read:

~~Land Use Planning Commission 0236~~ Geological Survey 0237

Initiative: Reduces funding by recognizing one-time savings achieved by reducing in-state travel and groundwater investigations in the Branch Brook watershed. This initiative relates to the curtailment of allotments.

Ref. #: 114	One-time			
<b>GENERAL FUND</b>		<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
All Other		(\$2,000)	\$0	\$0
<b>GENERAL FUND TOTAL</b>		(\$2,000)	\$0	\$0

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Item 2.

Amend the bill by striking section J-1 and replacing it with:

**Sec. J-1. 12 MRSA §1819, second ¶** is amended to read:

Unless otherwise provided by law, all user fees derived from use of state parks, historic sites and the Allagash Wilderness Waterway and other payments for services received under this section and after payment of the lease for Crescent Beach State Park shall accrue to the General Fund, except that all revenues resulting from an increase in fees after July 1, 1990 in the Allagash Wilderness Waterway accrue to a dedicated revenue account to be used for capital improvements in the Allagash Wilderness Waterway. When Fees may be more efficiently collected through 3<sup>rd</sup>-party contracts, a percentage of the fee may be retained by the contractor for services as agreed upon by the bureau.



Sec. A-2. Appropriations and allocations. The following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Division of Agricultural Resource Development 0833**

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the management of vacant positions in fiscal year 2012-13. This initiative relates to curtailment of allotments.

Ref. #: 34                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2012-13	2013-14	2014-15
Personal Services	(\$20,000)	\$0	\$0
GENERAL FUND TOTAL	(\$20,000)	\$0	\$0

**Division of Animal Health and Industry 0394**

Initiative: Reduces funding by recognizing one-time savings achieved by reducing professional services to maintain costs within available resources. This initiative relates to curtailment of allotments.

Ref. #: 27                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2012-13	2013-14	2014-15
All Other	(\$5,000)	\$0	\$0
GENERAL FUND TOTAL	(\$5,000)	\$0	\$0

**Division of Plant Industry 0831**

Initiative: Reduces funding by recognizing one-time savings achieved by reducing general operations to maintain costs within available resources. This initiative relates to curtailment of allotments.

Ref. #: 32                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2012-13	2013-14	2014-15
All Other	(\$2,000)	\$0	\$0
GENERAL FUND TOTAL	(\$2,000)	\$0	\$0

**Division of Quality Assurance and Regulation 0393**

Initiative: Reduces funding by recognizing one-time savings achieved by reducing professional services to maintain costs within available resources. This initiative relates to curtailment of allotments.

Ref. #: 25                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2012-13	2013-14	2014-15
All Other	(\$1,500)	\$0	\$0

GENERAL FUND TOTAL	(\$1,500)	\$0	\$0
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**Maine Farms for the Future Program 0925**

Initiative: Reduces funding for grants on a one-time basis. This initiative relates to curtailment of allotments.

Ref. #: 37                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
All Other	(\$21,500)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$21,500)</b>	<b>\$0</b>	<b>\$0</b>

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**Office of the Commissioner 0401**

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the management of vacant positions in fiscal year 2012-13. This initiative relates to curtailment of allotments.

Ref. #: 29                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

<b>GENERAL FUND</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Personal Services	(\$18,000)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<b>(\$18,000)</b>	<b>\$0</b>	<b>\$0</b>

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**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
<b>GENERAL FUND</b>	<b>(\$68,000)</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$68,000)</b>	<b>\$0</b>	<b>\$0</b>

**Sec. A-8. Appropriations and allocations.**

The following appropriations and allocations are made.

**CONSERVATION, DEPARTMENT OF**

**Division of Forest Protection 0232**

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the reimbursement received from the Federal Government for out-of-state mobilizations in fiscal year 2012-13. This initiative relates to curtailment of allotments.

Ref. #: 111                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2012-13	2013-14	2014-15
Personal Services	(\$175,000)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	(\$175,000)	\$0	\$0

**Land Use Planning Commission 0236**

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the management of vacant positions in fiscal year 2012-13. This initiative relates to curtailment of allotments.

Ref. #: 113                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2012-13	2013-14	2014-15
Personal Services	(\$27,000)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	(\$27,000)	\$0	\$0

**Land Use Planning Commission 0236**

Initiative: Reduces funding by recognizing one-time savings achieved by reducing in-state travel and groundwater investigations in the Branch Brook watershed. This initiative relates to curtailment of allotments.

Ref. #: 114                      One Time                      Committee Vote: 13-0                      AFA Vote: \_\_\_\_\_

GENERAL FUND	2012-13	2013-14	2014-15
All Other	(\$2,000)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	(\$2,000)	\$0	\$0

**Maine Conservation Corps Z030**

Initiative: Reorganizes one Senior Planner position to a Public Service Coordinator I position.

Ref. #: 118                      One Time                      Committee Vote: 13-0                      AFA Vote: \_\_\_\_\_

OTHER SPECIAL REVENUE FUNDS	2012-13	2013-14	2014-15
Personal Services	(\$898)	\$0	\$0

OTHER SPECIAL REVENUE FUNDS TOTAL	(\$898)	\$0	\$0
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**Natural Areas Program 0821**

Initiative: Reduces funding by recognizing one-time savings achieved by delaying the completion of technical assistance materials in the municipal assistance program. This initiative relates to curtailment of allotments.

Ref. #: 116                      One Time                      Committee Vote: 13-0                      AFA Vote: \_\_\_\_\_

	2012-13	2013-14	2014-15
GENERAL FUND			
All Other	(\$4,000)	\$0	\$0
GENERAL FUND TOTAL	(\$4,000)	\$0	\$0

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**Parks - General Operations 0221**

Initiative: Reorganizes one Senior Planner position to a Public Service Coordinator I position.

Ref. #: 102                      One Time                      Committee Vote: 13-0                      AFA Vote: \_\_\_\_\_

	2012-13	2013-14	2014-15
FEDERAL EXPENDITURES FUND			
Personal Services	(\$898)	\$0	\$0
FEDERAL EXPENDITURES FUND TOTAL	(\$898)	\$0	\$0

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**Parks - General Operations 0221**

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the management of vacant positions in fiscal year 2012-13. This initiative relates to curtailment of allotments.

Ref. #: 103                      One Time                      Committee Vote: 13-0                      AFA Vote: \_\_\_\_\_

	2012-13	2013-14	2014-15
GENERAL FUND			
Personal Services	(\$99,000)	\$0	\$0
GENERAL FUND TOTAL	(\$99,000)	\$0	\$0

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**CONSERVATION, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
<b>GENERAL FUND</b>	<b>(\$307,000)</b>	<b>\$0</b>	<b>\$0</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>(\$898)</b>	<b>\$0</b>	<b>\$0</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>(\$898)</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(\$308,796)</b>	<b>\$0</b>	<b>\$0</b>

Sec. B-1. Appropriations and allocations. The following appropriations and allocations are made.

**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

**Beverage Container Enforcement Fund 0971**

Initiative: RECLASSIFICATIONS

Ref. #: 39                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Personal Services	\$6,149	\$0	\$0
All Other	\$279	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,428</b>	<b>\$0</b>	<b>\$0</b>

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**Division of Agricultural Resource Development 0833**

Initiative: RECLASSIFICATIONS

Ref. #: 35                      One Time                      Committee Vote: 12-0                      AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Personal Services	\$23,761	\$0	\$0
All Other	\$1,081	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$24,842</b>	<b>\$0</b>	<b>\$0</b>

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**AGRICULTURE, CONSERVATION AND FORESTRY, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$31,270</b>	<b>\$0</b>	<b>\$0</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$31,270</b>	<b>\$0</b>	<b>\$0</b>

**CONSERVATION, DEPARTMENT OF**

**Boating Facilities Fund 0226**

Initiative: RECLASSIFICATIONS

Ref. #: 109                      One Time                      Committee Vote: 13-0                      AFA Vote: \_\_\_\_\_

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Personal Services	\$6,845	\$0	\$0
All Other	\$203	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$7,048</b>	<b>\$0</b>	<b>\$0</b>

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**Parks - General Operations 0221**

Initiative: RECLASSIFICATIONS

Ref. #: 104

One Time

Committee Vote: 13-0

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

<b>GENERAL FUND</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Personal Services	\$3,036	\$0	\$0
All Other	(\$3,036)	\$0	\$0
<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Ref. #: 105

One Time

Committee Vote: 13-0

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

<b>FEDERAL EXPENDITURES FUND</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
Personal Services	\$3,037	\$0	\$0
All Other	\$95	\$0	\$0
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$3,132</u>	<u>\$0</u>	<u>\$0</u>

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**CONSERVATION, DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
<b>GENERAL FUND</b>	\$0	\$0	\$0
<b>FEDERAL EXPENDITURES FUND</b>	\$3,132	\$0	\$0
<b>OTHER SPECIAL REVENUE FUNDS</b>	\$7,048	\$0	\$0
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$10,180</u>	<u>\$0</u>	<u>\$0</u>

See Attached Item #2

## PART J

Sec. J-1. 12 MRSA §1819, second ¶, as revised by PL 2011, c. 657, Pt. W, §7, is amended to read:

Unless otherwise provided by law, all user fees derived from use of state parks, historic sites and the Allagash Wilderness Waterway and other payments for services received under this section and after payment of leases for state park lands shall accrue to the General Fund, except that all revenues resulting from an increase in fees after July 1, 1990 in the Allagash Wilderness Waterway accrue to a dedicated revenue account to be used for capital improvements in the Allagash Wilderness Waterway. When fees may be more efficiently collected through 3rd-party contracts, a percentage of the fee may be retained by the contractor for services as agreed upon by the bureau. .

## SUMMARY PART J

This Part redirects revenue to a dedicated account to allow for payment of leases for state park land. Revenue not used to pay a lease will be deposited in the General Fund.

Amended  
11-2 in favor  
of amended version

(Hickman, Jones opposed)

Committee vote

12-0 in

**PART K**

**Sec. K-1. Transfer; unexpended funds; Harness Racing Commission Other Special Revenue Funds account.** Notwithstanding any other provision of law, the State Controller shall transfer \$310,000 no later than June 30, 2013 from the Harness Racing Commission program, Operating Account Other Special Revenue Funds account in the Department of Agriculture, Conservation and Forestry to the unappropriated surplus of the General Fund.

**SUMMARY**

**PART K**

This Part transfers unexpended funds of \$310,000 from the Harness Racing Commission program, Operating Account Other Special Revenue Funds account in the Department of Agriculture , Conservation and Forestry to the unappropriated surplus of the General Fund.

