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**STATE OF MAINE
ONE HUNDRED AND THIRTIETH LEGISLATURE
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES**

MEMORANDUM

TO: Senator Cathy Breen, Senate Chair
Representative Teresa Pierce, House Chair
Joint Standing Committee on Appropriations and Financial Affairs

FROM: Senator Stacy Brenner, Senate Chair ^{SB^{der}}
Representative Ralph Tucker, House Chair ^{RT^{der}}
Joint Standing Committee on Environment and Natural Resources

DATE: May 25th, 2021

SUBJ: Recommendations on Governor's change package to LD 221

On May 24th, 2021, the Joint Standing Committee on Environment and Natural Resources reviewed a number of proposed budget items in the Governor's change package to LD 221. The committee's recommendations on those items are described below.

Department of Environmental Protection

With respect to the initiatives described on pages 55, 56, 58 and 59 of the Part A initiatives (Administration-Environmental Protection; Air Quality; Remediation and Waste Management; and Water Quality), the 10 members voting recommend acceptance of these initiatives. Three members were absent at the time of the vote (Carney, Johansen, Tuell).

With respect the 3 initiatives on page 57 of the Part A initiatives (Maine Environmental Protection Fund), of the 9 members voting, 7 members (Brenner, Tucker, Bennett, Bell, Blume, Doudera, Gramlich) recommend acceptance of those 3 initiatives while 2 members (Hanley, O'Connor) do not recommend acceptance of those initiatives. Four members were absent at the time of the vote (Carney, Johansen, Tuell, Zeigler).

Governor's Office of Policy Innovation and the Future

Although the Governor's Office of Policy Innovation and the Future (GOPIF) is not an entity under our committee's subject matter jurisdiction for budgetary purposes, given the overlap between the proposals included in the change package and our committee's oversight of the activities of the Maine Climate Council and climate change-related proposals, we would like to offer the following recommendations regarding the initiatives under GOPIF, to be considered along with any other policy committee recommendations your Committee may receive on those initiatives.

With respect to the initiatives under GOPIF on page 62 of the Part A initiatives:

- On the first initiative on that page (Community planning, assistance and grant funding for community climate projects), of the 10 members voting, 8 members (Brenner, Tucker, Bennett, Carney, Bell, Blume, Doudera, Gramlich) recommend acceptance of these initiatives while 2 members (Hanley, O'Connor) do not recommend acceptance of these initiatives. Three members were absent at the time of the vote (Johansen, Tuell, Zeigler);
- On the second initiative on that page (New positions at GOPIF), of the 10 members voting, 7 members (Brenner, Tucker, Carney, Bell, Blume, Doudera, Gramlich) recommend acceptance of these initiatives while 3 members (Bennett, Hanley, O'Connor) do not recommend acceptance of these initiatives. Three members were absent at the time of the vote (Johansen, Tuell, Zeigler); and
- On the third initiative on that page (Funding for municipal resilience planning and implementation grants), of the 10 members voting, 8 members (Brenner, Tucker, Bennett, Carney, Bell, Blume, Doudera, Gramlich) recommend acceptance of these initiatives while 2 members (Hanley, O'Connor) do not recommend acceptance of these initiatives. Three members were absent at the time of the vote (Johansen, Tuell, Zeigler).

Language Parts R and S

With respect to Language Part R (page 17 of the language parts), the 10 members voting recommend inclusion of this language. Three members were absent at the time of the vote (Carney, Johansen, Tuell).

With respect to Language Part S (page 18 of the language parts), of the 9 members voting, seven members (Brenner, Tucker, Bennett, Bell, Blume, Doudera, Gramlich) recommend inclusion of this language while 2 members (Hanley, O'Connor) do not recommend inclusion of this language. Four members were absent at the time of the vote (Carney, Johansen, Tuell, Zeigler).

Attached are selections from the Part A initiatives and the Language Parts indicating the Committee's vote on each initiative. Please let us know if we can provide any additional information or assistance in connection with information provided above.

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

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Environmental Protection, Department of

ADMINISTRATION - ENVIRONMENTAL PROTECTION 0251

2021-22

2022-23

Initiative: Establishes one Environmental Specialist IV position to manage climate plan rulemaking on hydrofluorocarbons, appliance standards, and sea level rise and provides funding for related All Other costs.

GENERAL FUND

Positions - LEGISLATIVE COUNT

1,000

1,000

Personal Services

97,845

102,591

All Other

7,648

7,648

Total

105,493

110,239

ENR vote: 10 - 0

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Environmental Protection, Department of

AIR QUALITY 0250

2021-22

2022-23

Initiative: Provides one-time funding to support the state forest carbon mapping project.

GENERAL FUND

All Other

400,000

Total

400,000

0

ENR vote: 10-0

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Environmental Protection, Department of

MAINE ENVIRONMENTAL PROTECTION FUND 0421

	2021-22	2022-23
Initiative: Establishes one Senior Environmental Engineer position, one Environmental Engineer position, one Assistant Environmental Engineer position and 3 Environmental Specialist III positions to support land use licensing activities and provides funding for related All Other costs.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT	6,000	6,000
Personal Services	548,540	574,801
All Other	20,592	20,592
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Total	569,132	595,393
	2021-22	2022-23

ENR vote: 7-2

Initiative: Establishes 4 limited-period and 2 permanent Geology Technician II positions, 2 Planning & Research Associate II positions, one Environmental Engineer position, one Environmental Specialist II position, one limited-period and 2 permanent Environmental Specialist III positions, one Chemist I position, one limited-period GIS Coordinator position, one Certified Environmental Hydrogeologist position and one Public Service Coordinator I position to assist in the identification and management of per-fluoroalkyl and poly-fluoroalkyl substances (PFAS) and provides funding for related All Other costs.		
GENERAL FUND		
Positions - LEGISLATIVE COUNT	11,000	11,000
Personal Services	1,405,523	1,474,112
All Other	69,801	69,801
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Total	1,475,324	1,543,913
	2021-22	2022-23

ENR vote: 7-2

Initiative: Provides one-time funding for a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings.		
OTHER SPECIAL REVENUE FUNDS		
All Other	2,500,000	2,500,000
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Total	2,500,000	2,500,000

ENR vote: 7-2

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Environmental Protection, Department of

REMEDIATION AND WASTE MANAGEMENT 0247

2021-22

2022-23

Initiative: Provides one-time funding to support the treatment of drinking water, environmental testing and management of contaminated wastes caused by per-fluoroalkyl and poly-fluoroalkyl substances.

OTHER SPECIAL REVENUE FUNDS

All Other

8,616,773

12,925,159

Total

8,616,773

12,925,159

ENR vote: 10-0

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Environmental Protection, Department of

WATER QUALITY 0248

2021-22

2022-23

Initiative: Provides funding for the approved reclassification of one Assistant Environmental Engineer position to an Environmental Engineer position retroactive to December 2020 and provides funding for related All Other costs.

OTHER SPECIAL REVENUE FUNDS

Personal Services

5,500

5,808

All Other

325

343

Total

5,825

6,151

ENR vote: 10-0

Please ADD the following to Part A, Section 1 of LD 221 as follows:

Executive Department

OFFICE OF POLICY INNOVATION AND THE FUTURE Z135

	2021-22	2022-23
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Initiative: Provides funding for green communities emissions reduction planning, technical assistance and grants for community climate projects.

GENERAL FUND

All Other	1,500,000	1,500,000
Total	1,500,000	1,500,000

ENR vote: 8-2

	2021-22	2022-23
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Initiative: Establishes 2 Public Service Coordinator II positions and one Public Service Coordinator III position to provide support partnerships with Maine's cities and towns, resiliency planning for sea-level rise and state-wide adaptation policy and housing and provides funding for related All Other expenses.

GENERAL FUND

Positions - LEGISLATIVE COUNT	3,000	3,000
Personal Services	421,140	430,111
All Other	12,087	12,387
Total	433,227	442,498

ENR vote: 7-3

	2021-22	2022-23
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Initiative: Provides one-time funding for Municipal Resilience Planning and Implementation Grants.

GENERAL FUND

All Other	1,250,000	1,250,000
Total	1,250,000	1,250,000

ENR vote: 8-2

Amend LD 221 Part R by deleting the current Part and replacing with the following:

**PART R
SUMMARY**

Sec. R-1. Transfer to the Department of Environmental Protection, Uncontrolled Sites Fund. Notwithstanding any other provision of law to the contrary, on or before June 30, 2021, the State Controller shall transfer \$25,000,000 from the unappropriated surplus of the General Fund to the Department of Environmental Protection, Uncontrolled Sites Fund, Other Special Revenue Fund account for the purpose of abating, cleaning up or mitigating the threats or hazards posed or potentially posed by perfluoroalkyl and polyfluoroalkyl substances contamination in the State.

Sec. R-2. Segregation of funds transferred to the Uncontrolled Sites Fund. The Department of Environmental Protection shall establish within the Uncontrolled Sites Fund a segregated subsidiary account. The department shall deposit into the subsidiary account the amount transferred pursuant to section 1 of this Part and, in accordance with its authority under the Maine Revised Statutes, Title 38, chapter 13-B, may expend funds from that subsidiary account only for the purpose of abating, cleaning up or mitigating the threats or hazards posed or potentially posed by perfluoroalkyl and polyfluoroalkyl substances contamination in the State.

**PART R
SUMMARY**

This Part directs the State Controller to transfer \$25,000,000 to the Department of Environmental Protection to support the long term efforts in abating, cleaning up or mitigating the threats or hazards posed or potentially posed by perfluoroalkyl and polyfluoroalkyl substances contamination in the State.

ENR vote: 10 - 0

Amend LD 221 Part S by deleting the current Part and replacing with the following:

PART S

Sec. S-1. Transfer to the Maine Environmental Protection Fund. On or before June 30, 2021, the State Controller shall transfer \$5,000,000 from the unappropriated surplus of the General Fund to the Department of Environmental Protection, Maine Environmental Protection Fund, Other Special Revenue Fund account for the purpose of providing funds for a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings to improve fish and wildlife habitats and increase community safety.

**PART S
SUMMARY**

This Part requires the transfer of \$5,000,000 in fiscal year 2020-21 from the unappropriated surplus of the General Fund to the Maine Environmental Protection Fund to support the municipal culvert program at stream crossings to improve fish and wildlife habitats and increase infrastructure resilience and public safety and to provide greater leverage for local and federal funding opportunities. Eligible project sponsors include local governments, municipal conservation commissions, soil and water conservation districts and private nonprofit organizations.

ENR vote: 7-2