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STATE OF MAINE  
ONE HUNDRED AND THIRTY-FIRST LEGISLATURE  
COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

MEMORANDUM

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

FROM: Senator Stacy Brenner, Senate Chair <sup>SB</sup>  
Representative Lori Gramlich, House Chair <sup>LG</sup>  
Joint Standing Committee on Environment and Natural Resources

DATE: February 1, 2023

SUBJ: Supplemental budget recommendations

On January 30, 2023, the Joint Standing Committee on Environment and Natural Resources reviewed the budget items pertaining to the agencies under its jurisdiction in the Governor's proposed supplemental budget for FY23, as considered in LD 206.

As described below, all ENR members present and voting at the January 30th meeting recommend acceptance of the budget proposal pertaining to the Department of Environmental Protection, with an additional note/recommendation.

Department of Environmental Protection

The 12 members<sup>1</sup> present and voting on January 30, 2023 recommend acceptance of the Department of Environmental Protection budget proposal presented on OFPR Worksheet page 1, with the following additional note/recommendation.

At the joint public hearing on January 25, 2023, AFA Committee member Representative Sawin Millett had posed a question to the Commissioner of Environmental Protection regarding carrying authority for the one-time \$10,000 General Fund appropriation proposed in section A-11 (Ref. # 111). From the Commissioner's testimony, we understand that the \$10,000 would be designed to support product sampling by DEP under the Maine Toxics in Food Packaging program for a number of years.

<sup>1</sup> Members present: Senators Brenner, Carney and Lyford; Representatives Gramlich, Bell, Bridgeo, Doudera, Hobbs, O'Neil, Schmiersal-Burgess, Soboleski, Woodsome. Members absent: Representative Campbell.

Given this stated intent to use these funds beyond FY 23 and in light of Representative Millett's question at the hearing, our Committee supports amendment of this initiative, as necessary, to ensure that DEP has carrying authority for this appropriation so that any of these funds not spent at the close of FY 23 do not lapse but can be carried forward into future fiscal years for the purposes described in the initiative.

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Attached is the OFPR Worksheet indicating the Committee's vote on this initiative. Please let us know if we can provide any additional information or assistance in connection with above described budget item.

Enc.

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

Sec. A-11. Appropriations and allocations. The following appropriations and allocations are made.

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management 0247

Initiative: Provides one-time funding to support product sampling for the Maine Toxics in Food Packaging program in the Maine Revised Statutes, Title 32, sections 1731-1747.

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

GENERAL FUND	2022-23	2023-24	2024-25
All Other	\$10,000	\$0	\$0
GENERAL FUND TOTAL	<u>\$10,000</u>	<u>\$0</u>	<u>\$0</u>

**Justification:**

This is an unfunded program in which the department receives complaints from external entities about product packaging containing potentially toxic chemicals, including PFAS. Funding is requested to perform off-the-shelf sampling of accused products to make a verifiable compliance determination.

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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

DEPARTMENT TOTALS	2022-23	2023-24	2024-25
GENERAL FUND	\$10,000	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>\$10,000</u>	<u>\$0</u>	<u>\$0</u>