

# MAINE STATE LEGISLATURE

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L.D. 2324

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(Filing No. H-652 )

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
11TH LEGISLATURE  
SECOND REGULAR SESSION

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HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A"  
to S.P. 857, L.D. 2324, Bill, "AN ACT to Require an  
Inventory, Permitting and Monitoring of Underground  
Tanks Containing Gasoline, Oil and Toxic Materials."

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Amend the amendment by striking out all of the  
first and 2nd paragraphs after the title and insert-  
ing in their place the following:

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'Amend the bill in section 1 by striking out all  
of the first paragraph (page 2, lines 3 to 13 in  
L.D.) and inserting in its place the following:

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'Sec. 1. Findings and purpose. The Legislature  
finds that significant quantities of flammable, com-  
bustible and toxic materials are currently being  
stored in underground storage facilities and that nu-  
merous incidents involving leaks or unlicensed dis-  
charges from that underground storage are occurring  
at a rate so as to pose a significant threat to  
Maine's ground water resources.'

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Further amend the amendment by striking out in  
the 14th paragraph after the title, the first 3 lines  
(page 3, lines 2 to 4 in amendment) and inserting in  
their place the following:

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'Sec. 14. 38 MRSA §1306-C, sub-§4, ¶B, as en-  
acted by PL 1981, c. 430, §18, is amended to read:

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B. The proceeds of a sale shall be used to pay  
the costs of cleanup, abatement or mitigation of  
any threats or hazards to public health or safety  
or to the environment, the costs of any removal,  
storage, treatment, disposal or other handling of  
hazardous waste or hazardous substances, as de-  
fined in section 1362, reasonable expenses for

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HOUSE AMENDMENT "B" to COMMITTEE AMENDMENT "A" to S.P. 857  
L.D. 2324

1 the forfeiture proceedings, seizure, storage,  
2 maintenance of custody, advertising and notice,  
3 and to pay any bona fide mortgage thereon, and  
4 the balance, if any, shall be deposited in the  
5 General Fund.

6 Sec. 15. Allocation. The following funds are  
7 allocated from the Maine Coastal Protection Fund for  
8 the purposes of this Act.'

9 STATEMENT OF FACT

10 The purpose of this amendment is to correct an  
11 inadvertent omission in the committee report.

12 This amendment also corrects an oversight in leg-  
13 islation which was enacted last session. It allows  
14 the State to apply the proceeds from forfeited prop-  
15 erty to the cleanup of the environmental damage.

16 6664040484

Filed by Rep. McGowan of Pittsfield  
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of the Clerk of the House  
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