

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

2  
4  
6  
8  
10  
12  
14  
16  
18  
20  
22  
24  
26  
28  
30  
32  
34  
36  
38  
40  
42  
44  
46  
48  
50  
52

STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
114TH LEGISLATURE  
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1635, L.D. 2268, Bill, "An Act to Conform Maine Antifouling Paint Law to Federal Standards"

Amend the bill by striking out everything after the enacting clause and before the emergency clause and inserting in its place the following:

Sec. 1. 38 MRSA §419-A, sub-§1, ¶A, as enacted by PL 1987, c. 474, is repealed and the following enacted in its place:

A. "Acceptable release rate" means a measured release rate equal to or less than 4.0 micrograms per square centimeter per day at steady state conditions determined in accordance with federal Environmental Protection Agency testing procedures on tributyltin in antifouling paints under the Federal Insecticide, Fungicide and Rodenticide Act. This paragraph is repealed September 1, 1992.

Sec. 2. 38 MRSA §419-A, sub-§1, ¶A-1 is enacted to read:

A-1. "Acceptable release rate" means a measured release rate equal to or less than 3.0 micrograms per square centimeter per day at steady state conditions determined in accordance with federal Environmental Protection Agency testing procedures on tributyltin in antifouling paints under the Federal Insecticide, Fungicide and Rodenticide Act. This paragraph takes effect September 1, 1992.'

Further amend the bill by inserting before the statement of fact the following:

FISCAL NOTE

Enactment of this legislation would basically result in a minimal increase in the number of antifouling paint products eligible for registration by the Board of Pesticides Control. The anticipated increase in dedicated revenue derived from annual registration fees could range from \$0 to \$2,000. However, the exact amount can not be determined at this time. Also, this bill would result in a minimal increase in education and enforcement

2 activities. The costs of these activities would be absorbed by  
the Board of Pesticides Control utilizing existing budgeted  
4 resources. Finally, this proposed state standard would be  
repealed on September 1, 1992. The repeal would eliminate the  
6 future collection of the additional revenues described in this  
paragraph.'

8

### STATEMENT OF FACT

10

12 This amendment conforms state law to the federal standard  
for the maximum allowable release rate of tributyltin in  
antifouling paints. This new state standard is repealed  
14 September 1, 1992. The current, more stringent state standard  
for the maximum allowable release rate of tributyltin becomes  
16 effective once again on September 1, 1992.

18

20 This amendment gives Maine boatyards the opportunity and  
incentive to investigate options to antifouling paints for  
antifouling protection while retaining their ability to compete  
with out-of-state boatyards for maintenance and overhaul work. A  
22 fiscal note is also added to the bill.

Reported by the Committee on Marine Resources  
Reproduced and distributed under the direction of the Clerk of the  
House  
3/7/90 (Filing No. H-888)