## MAINE STATE LEGISLATURE

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## 114th MAINE LEGISLATURE

## SECOND REGULAR SESSION - 1990

Legislative Document

No. 2268

H.P. 1635

House of Representatives, February 1, 1990

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 27.

Reference to the Committee on Marine Resources suggested and ordered printed.

EDWIN H. PERT, Clerk

Presented by Representative KILKELLY of Wiscasset.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED AND NINETY

An Act to Conform Maine Antifouling Paint Law to Federal Standards.

(AFTER DEADLINE)

(EMERGENCY)



	Emergency preamble. Whereas, Acts of the Legislature do not
2	become effective until 90 days after adjournment unless enacted as emergencies; and
4	
6	Whereas, the Legislature established a standard to restrict the amount of tributyltin in antifouling paints prior to action
	by the United States Congress establishing a different standard;
8	and the second s
10	Whereas, antifouling paint conforming to the State's standard is not available for use by Maine boatyards; and
12	
14	Whereas, Maine boatyards are losing business to their competitors without any benefit to the environment; and
16	Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of
18	Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and
20 -	safety; now, therefore,
22	Be it enacted by the People of the State of Maine as follows:
24	38 MRSA $\S419$ -A, sub- $\S1$ , $\PA$ , as enacted by PL 1987, c. 474, is amended to read:
26	
28	A. "Acceptable release rate" means a measured release rate equal to or less than $3+0$ $4.0$ micrograms per square centimeter per day at steady state conditions determined in
30	accordance with the United States Environmental Protection Agency testing procedure, as outlined in the agency's
32	call-in notice of July 29, 1986, on tributyltin in antifouling paints under the UnitedStates Federal
34	Insecticide, Fungicide and Rodenticide Act.
36	Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.
38	
40	
42	STATEMENT OF FACT
44	Tributyltin, TBT, is the active ingredient in the only type
46	of antifouling paint effective on aluminum vessels in marine waters. This bill would increase the maximum allowable release
- •	rate of TBT from the State's current standard to the federal
48	standard, ensuring that Maine boatyards will have the same access to antifouling paints as their competitors.

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