

MAINE STATE LEGISLATURE

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

COMMITTEE AMENDMENT "A" to H.P. 1729, L.D. 2388, Bill, "An Act to Amend the State's Hazardous Materials and Underground Tank Installer Laws"

Amend the bill in section 3 in that part designated "~~§246-D.~~" in subsection 2 in paragraph E in the first line (page 2, line 34 in L.D.) by inserting after the word "Any" the following: 'motor'

Further amend the bill in section 3 in that part designated "~~§246-D.~~" in subsection 3 in the 4th line (page 2, line 40 in L.D.) by striking out the following: "\$50" and inserting in its place the following: '\$25'

Further amend the bill in section 3 in that part designated "~~§246-D.~~" in subsection 5 in the last line (page 3, line 2 in L.D.) by striking out the following: "\$25" and inserting in its place the following: '\$15'

Further amend the bill in section 3 in that part designated "~~§246-D.~~" in subsection 6 in the first and 2nd lines (page 3, lines 4 and 5 in L.D.) by striking out the following: "are credited to the Maine Hazardous Waste Fund. All fees collected" and inserting in its place the following: 'by the Secretary of State under this section'

Further amend the bill in section 3 in that part designated "~~§246-D.~~" in subsection 9 in the 2nd line (page 3, line 38 in L.D.) by striking out the following: "relative to" and inserting in its place the following: 'under'

Further amend the bill in section 6 in the first line (page 4, line 10 in L.D.) by striking out the following: "~~¶¶B to D~~" and inserting in its place the following: '~~¶¶A and D~~'

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2 Further amend the bill in section 6 by striking out all of
3 paragraphs B and C and inserting in their place the following:

4
5 'A. A Class 1 underground oil storage tank installer may
6 install or remove any type of underground oil storage tank,
7 with the exception of field-constructed underground oil
8 storage tanks and impressed-current cathodically protected
9 tanks.'

10
11 Further amend the bill in section 9 in subsection 4 in the
12 3rd line (page 5, line 12 in L.D.) by striking out the
13 following: "+," and inserting in its place the following: ':'

14
15 Further amend the bill in section 10 in paragraph B in the
16 3rd line (page 5, in line 45 in L.D.) by inserting before the
17 following: "under" the following: 'excluding Class I liquids'

18
19 Further amend the bill by striking out all of sections 15 to
20 19.

21
22 Further amend the bill by renumbering the sections to read
23 consecutively.

24
25 Further amend the bill by inserting at the end before the
26 statement of fact the following:

27
28 **FISCAL NOTE**

29
30 1. Enactment of the bill would result in an increase in
31 dedicated revenue to the Maine Hazardous Waste Fund in the amount
32 of \$750,000 for fiscal year 1990-91. This estimate is based on
33 dedicated revenue derived from the proposed hazardous materials
34 transport license fee of \$25 and a 5-day trip permit fee of \$15.
35 As stipulated in the bill, this revenue would be apportioned as
36 follows:

37
38 Department of Environmental
39 Protection - Maine Hazardous
40 Waste Fund \$487,500
41
42 Division of Motor Vehicles \$112,500
43
44 Department of Public Safety \$75,000
45
46 Department of Defense and
47 Veterans' Services \$75,000

48
49 2. Enactment of the bill would result in no additional
50 allocations of hazardous waste funds to the Department of
51 Environmental Protection, the Division of Motor Vehicles,
52

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2 Department of Public Safety and the Department of Defense and
Veterans' Services. It is expected that the anticipated revenue
4 will be used to meet existing allocations established in Public
Law 1987, chapter 750, realizing the Division of Motor Vehicles
6 has only collected \$90,000 to date of the budgeted \$300,000 for
fiscal year 1989-90.

8 3. Enactment of the bill would result in a decrease in
revenue to the Maine Hazardous Waste Fund in the amount of
10 \$300,000 for fiscal year 1990-91. This reduction in revenue
would be due to the repeal of the Maine Revised Statutes, Title
12 29, section 246-B, regarding the license for transportation of
hazardous materials, enacted in 1987.

14 4. Enactment of the bill would result in a potential
16 increase in undedicated revenue to the Ground Water Oil Clean-up
Fund in an amount that can not be determined at this time. This
18 increase in revenue would be derived from the collection of the
proposed civil penalties of up to \$1,500 for each violation
20 concerning certification in the underground storage tank
installer legislation.'

22

24

STATEMENT OF FACT

26

28 This amendment reduces the annual and trip permit fees for
hazardous material transport licenses and clarifies apportionment
provisions for fees and enforcement provisions.

30

32 A prohibition for installing impressed-current cathodically
protected tanks is added for Class 1 underground oil storage tank
installers. The amendment also limits the tanks an underground
34 gasoline storage tank remover may remove during an on-site
removal for certification.

36

38 The amendment also removes the sections dealing with
biomedical waste. A fiscal note is added to the bill.

Reported by the Committee on Energy and Natural Resources
Reproduced and distributed under the direction of the Clerk of the
House
3/20/90 (Filing No. H-961)