

MAINE STATE LEGISLATURE

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116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

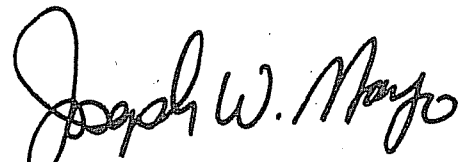
Legislative Document

No. 14

H.P. 7

House of Representatives, January 4, 1993

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


JOSEPH W. MAYO, Clerk

Presented by Representative HEINO of Boothbay.

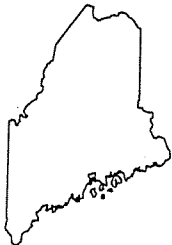
Cosponsored by Representative TOWNSEND of Eastport and Senator VOSE of Washington.

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND NINETY-THREE

**An Act to Retain the Current Standard for the Release of Tributyltin in
Marine Antifouling Paints.**

(EMERGENCY)



Emergency preamble. Whereas, Acts of the Legislature do not
2 become effective until 90 days after adjournment unless enacted
as emergencies; and

4
Whereas, increased limitations on the release of tributyltin
6 from antifouling marine paints took effect on September 1, 1992;
and

8
Whereas, this stricter standard exceeds the requirements of
10 federal law and places the State's boatyards at a competitive
disadvantage as compared to yards in other states; and

12
Whereas, this situation has resulted in lost work for the
14 State's boatyards and lost jobs for the State's workers; 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24 **Sec. 1. 38 MRSA §419-A, sub-§1, ¶A, as repealed and replaced**
by PL 1989, c. 763, §1, is amended to read:

26
A. "Acceptable release rate" means a measured release rate
28 equal to or less than 4.0 micrograms per square centimeter
per day at steady state conditions determined in accordance
30 with federal Environmental Protection Agency testing
procedures on tributyltin in antifouling paints under the
32 Federal Insecticide, Fungicide and Rodenticide Act. This
paragraph is repealed September 1, 1992.

34
Sec. 2. 38 MRSA §419-A, sub-§1, ¶A-1, as enacted by PL 1989, c.
36 **763, §2, is repealed.**

38
Sec. 3. Retroactivity clause. This Act applies retroactively to
September 1, 1992.

40
Emergency clause. In view of the emergency cited in the
42 preamble, this Act takes effect when approved.

44
STATEMENT OF FACT

46
This bill repeals an increase in the restriction on the
48 release of tributyltin from antifouling marine paints that takes
effect on September 1, 1992. Repeal will ensure that the current
50 standard of release of 4.0 micrograms per square centimeter per
day remains in effect.