

MAINE STATE LEGISLATURE

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OK
R. of S.

L.D. 1294

(Filing No. H-534)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 963, L.D. 1294, Bill, "An Act to Ensure Implementation of the Federal Clean Air Act Amendments of 1990"

Amend the bill by striking out all of section 2 and inserting in its place the following:

'Sec. 2. 38 MRSA §353-A, sub-§1-A is enacted to read:

1-A. Annual fee surcharge. Beginning November 1, 1994, a licensee shall pay an annual fee surcharge of \$10 per every 1,000 air quality units as defined in section 582, subsection 11-E.'

Further amend the bill in section 3 in subsection 4 by striking out the last 2 sentences (page 1, lines 42 to 44 in L.D.) and inserting in their place the following: 'Beginning November 1, 1994, the minimum annual fee surcharge is \$100 per year and the maximum annual fee surcharge is \$50,000 per year.'

Further amend the bill in section 4 by striking out all of the first line and inserting in its place the following:

'Sec. 4. 38 MRSA §353-A, sub-§9 is enacted to read:'

Further amend the bill in section 5 in subsection 11-D in the first line (page 2, line 13 in L.D.) by striking out the first occurrence of the following: "Toxicity" and inserting in its place the following: 'Air quality' and by striking out the 2nd occurrence of the following: "Toxicity" and inserting in its place the following: 'Air quality'

Further amend the bill in section 5 in subsection 11-E in the first line (page 2, line 19 in L.D.) by striking out the first occurrence of the following: "Toxicity" and inserting in

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2 its place the following: 'Air quality' and by striking out the
3 2nd occurrence of the following: "Toxicity" and inserting in its
4 place the following: 'Air quality'

6 Further amend the bill by striking out all of sections 6 and
7 and inserting in its place the following:

8 'Sec. 6. Study. The Commissioner of Environmental Protection
9 shall form a committee comprised of the community regulated by
10 air quality laws and other parties interested in air quality.
11 The committee shall study alternatives to the annual surcharge
12 required in the Maine Revised Statutes, Title 38, section 353-A,
13 subsection 1-A and the impact of the federal Clean Air Act on
14 portions of the State that are in attainment of federal ozone
15 standards. The committee shall report its findings and
16 recommendations to the Joint Standing Committee on Energy and
17 Natural Resources no later than January 15, 1994.

18
19 Sec. 7. Allocation. The following funds are allocated from the
20 Other Special Revenue to carry out the purposes of this Act:

	1993-94	1994-95
22		
24	ENVIRONMENTAL PROTECTION,	
26	DEPARTMENT OF	
28	Air Quality Control	
	(16.0)	(21.0)
30	\$283,000	\$766,480
	185,453	252,972
32	100,000	380,511

34 Provides for the allocation
35 of funds in fiscal year
36 1993-94 to allow the
37 staggered hiring of 6
38 Environmental Specialist III
39 positions, 8 Environmental
40 Specialist II positions and 2
41 Assistant Engineer positions
42 and operating costs for the
43 implementation of the federal
44 Clean Air Act amendments of
45 1990. Also provides for the
46 allocation of funds in fiscal
47 year 1994-95 for 2 additional
48 Environmental Specialist II
49 positions, 2 additional
50 Assistant Engineer positions,

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2 one additional Informational
3 Systems Support Specialist
4 position and operating costs
5 for the implementation of the
6 federal Clean Air Act
7 amendments of 1990

8 **DEPARTMENT OF**
9 **ENVIRONMENTAL PROTECTION**
10 **TOTAL** \$568,453 \$1,399,963

12 **Sec. 8. Effective date.** Section 1 of this Act takes effect
13 November 1, 1993.

14 **FISCAL NOTE**

16 1993-94 1994-95

18 **APPROPRIATIONS/ALLOCATIONS**

20 Other Funds \$568,453 \$1,399,963

22 **REVENUES**

24 Other Funds \$568,453 \$1,399,963

26 The increase of several air emission fees will increase
28 dedicated revenues to the Department of Environmental Protection
29 by \$568,453 and \$1,399,963 in fiscal years 1993-94 and 1994-95,
30 respectively. These amounts are allocated to provide funding to
31 implement the federal Clean Air Act.

32 The Department of Environmental Protection will incur some
34 minor additional costs to form a study committee which will
35 submit a report to the Legislature. These costs can be absorbed
36 within the department's existing budgeted resources.

38 **STATEMENT OF FACT**

40 The amendment delays by one year the surcharge based on
42 hazardous air pollutants and requires the Commissioner of
43 Environmental Protection to convene a study committee to review
44 alternatives to the surcharge and to review the impact of the
45 federal Clean Air Act on portions of the State that are in
46 attainment of federal ozone standards. The amendment also adds a
47 fiscal note and changes the allocation section to reflect the
48 delay of the surcharge.

Reported by the Committee on Energy and Natural Resources
Reproduced and distributed under the direction of the Clerk of the
House
6/2/93 (Filing No. H-534)