

MAINE STATE LEGISLATURE

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R. of S.

L.D. 1479

DATE: 2/17/94

(Filing No. S-409)

ENERGY & NATURAL RESOURCES

Reported by: Senator Ludwig of Aroostook

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**STATE OF MAINE
SENATE
116TH LEGISLATURE
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT "A" to S.P. 481, L.D. 1479, Bill, "An Act to Identify Laboratories Subject to the Laboratory Certification Program"

Amend the bill in the emergency preamble by striking out all of the 5th paragraph (page 1, lines 22 to 26 in L.D.) and inserting in its place the following:

'Whereas, this legislation exempts from the certification requirement wastewater laboratories that perform only certain routine tests, provided those laboratories are regulated by the terms and conditions of the license issued to the wastewater facility by the Department of Environmental Protection; and'

Further amend the bill in section 2 by striking out all of subsection 1 (page 2, lines 4 to 19 in L.D.) and inserting in its place the following:

'1. **Acceptable data.** ~~Six~~ Except as provided in this subsection, 6 months after the adoption of rules specified in subsection 2, certification is required of any commercial, industrial, municipal, state or federal laboratory that analyzes water, soil, air, solid or hazardous waste, or radiological samples for the use of programs of the department or the Department of Environmental Protection, except as provided under chapter 411, the Maine Medical Laboratory Act; Title 26, chapter 7, subchapter III-A, Substance Abuse Testing; and Title 29, section 1312, subsection 6, administration of tests to determine

COMMITTEE AMENDMENT

2 blood-alcohol level or drug concentration. A laboratory operated
 3 by a waste discharge facility licensed pursuant to Title 38,
 4 section 413 may analyze waste discharges for total suspended
 5 solids, settleable solids, biological oxygen demand, pH, chlorine
 6 residual, fecal coliform, E. coli, conductivity, color,
 7 temperature and dissolved oxygen without being certified under
 8 this section, provided that the laboratory is subject to
 9 laboratory qualifications contained in the waste discharge
 10 license issued by the Department of Environmental Protection.'

11 Further amend the bill by inserting at the end before the
 12 statement of fact the following:

14 **FISCAL NOTE**

16 REVENUES	1993-94	1994-95
18 Other Funds	(\$5,000)	(\$35,000)

20 The Department of Human Services will experience a loss of
 21 dedicated revenue of \$5,000 in fiscal year 1993-94 and \$35,000 in
 22 fiscal year 1994-95 as a result of the loss of certification
 23 fees. The department will also realize some minor savings from
 24 no longer having to certify certain laboratories.'

26 **STATEMENT OF FACT**

28 This amendment permits wastewater laboratories that are
 30 operated by facilities licensed by the Department of
 31 Environmental Protection to perform certain tests on wastewater
 32 without being certified by the Director of the Health and
 33 Environmental Testing Laboratory, provided the facility license
 34 includes terms and conditions regulating the laboratory. The
 amendment also adds a fiscal note.