

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

## SECOND REGULAR SESSION-1994

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Legislative Document

No. 1691

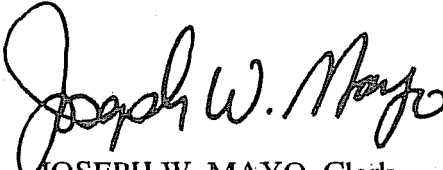
H.P. 1264

House of Representatives, January 11, 1994

**An Act to Implement the Technical and Environmental Assistance Program.**

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Submitted by the Department of Environmental Protection pursuant to Joint Rule 24.  
Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

  
JOSEPH W. MAYO, Clerk

Presented by Representative MARSH of West Gardiner.

Be it enacted by the People of the State of Maine as follows:

2           Sec. 1. 38 MRSA §343-C, sub-§3 is enacted to read:

4           3. Staffing. The commissioner shall establish adequate  
6 staffing to effectively carry out the duties of the Technical and  
Environmental Assistance Program.

8           Sec. 2. 38 MRSA §343-D, sub-§1, as enacted by PL 1991, c.  
10 804, Pt. C, §3 and affected by §5, is amended to read:

12           1. Appointment; composition. The committee consists of 15  
14 16 voting members.

16           A. The Governor shall appoint 4 2 representatives from the  
18 business community, 2 elected or appointed municipal  
officials who are not owners or represent owners of small  
business stationary sources, and 2 representatives of  
20 organized labor.

22           B. The President of the Senate shall appoint one member  
24 from a public health organization, one member from an  
environmental organization and one public member who is an  
owner or represents an owner of small business stationary  
26 sources.

28           C. The Speaker of the House of Representatives shall  
30 appoint one member from a public health organization, one  
member from an environmental organization and one public  
member who is an owner or represents an owner of small  
32 business stationary sources.

34           D. The commissioner ~~or the commissioner's~~ shall appoint a  
designee ~~is a voting member~~ to represent the department.

36           E. The Senate Minority Leader and the House Minority Leader  
shall each appoint one member who is an owner or represents  
38 an owner of small business stationary sources.

40           F. The Director of the Bureau of Air Quality Control shall  
appoint a designee to represent the bureau.

42           The Commissioner of Labor, the Director of the Maine Emergency  
44 Management Agency and the Executive Director of the Maine Waste  
46 Management Agency serve as ex officio members and do not vote on  
committee matters.

48           As used in this section, unless the context otherwise indicates,  
a "small business stationary source" means a source that meets  
50 the eligibility requirements of 42 United States Code Annotated,  
Section 7661f.

52           Sec. 3. 38 MRSA §353-A, sub-§4, as amended by PL 1993, c. 412,  
54 §3, is further amended to read:

2 4. **Maximum and minimum fees.** The minimum annual fee is  
3 \$250 per year. The maximum annual fee is \$150,000 per year.  
4 Beginning November 1, 1994, the minimum annual fee surcharge is  
5 \$100 per year and the maximum annual fee surcharge is \$50,000 per  
6 year. The commissioner may reduce any fee required under the  
7 federal Clean Air Act Amendments of 1990 to take into account the  
8 financial resources of a small business stationary source as  
9 defined in section 343-D, subsection 1.

10 **Sec. 4. Allocation.** The following funds are allocated from the  
11 Maine Environmental Protection fund to carry out the purposes of  
12 this Act.

13  
14 1994-95

15 **ENVIRONMENTAL PROTECTION,**  
16 **DEPARTMENT OF**

17 **Maine Environmental Protection Fund**

18		
19	Positions	(3)
20	Personal Services	\$104,219
21	All Other	38,273
22	Capital Expenditures	13,500

23 Provides funds for one Environmental  
24 Specialist IV position, one Environmental  
25 Specialist III position, one Clerk III  
26 position, office supplies, travel, printing,  
27 general operations, contracts, training,  
28 furniture, computers and printers.

29 **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

30 **TOTAL** \$155,992

31 **Sec. 5. Effective date.** This Act takes effect on July 1, 1994.

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40 **STATEMENT OF FACT**

41 Public Law 1991, chapter 804 authorizes the State to  
42 establish a Technical and Environmental Assistance Program to  
43 meet the requirements of the Federal Clean Air Act Amendments of  
44 1990 (CAAA). Public Law 1991, chapter 804, designates the  
45 Department of Environmental Protection's Office of Pollution  
46 Prevention to administer the program. The bill amends the  
47 existing law by creating and authorizing an allocation of funding  
48 for 3 positions within the Department of Environmental  
49 Protection's Office of Pollution Prevention to carry out the  
50 responsibilities required by Public Law 1991, chapter 804, and

2 the CAAA. This bill defines a "small business stationary  
3 source" according to the CAAA, Section 507 and amends the  
4 composition of the Pollution Prevention Advisory Committee under  
5 the existing law to meet the requirements of the CAAA regarding  
6 the establishment of a compliance advisory panel. The bill also  
7 allows the State or Administrator of the Environmental Protection  
8 Agency to reduce any fee required under the CAAA to take into  
9 account the financial resources of small business stationary  
10 sources.

12  
14  
16 **This document has not yet been reviewed to determine the  
need for cross-reference, stylistic and other technical  
amendments to conform existing law to current drafting standards.**