

# MAINE STATE LEGISLATURE

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NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
118TH LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 220, L.D. 284, Bill, "An Act to Continue the State's Dioxin Monitoring Program"

Amend the bill by striking out the title and substituting the following:

'An Act to Continue the State's Dixon Monitoring Program and Consolidate Reports to the Legislature'

Further amend the bill by inserting after the enacting clause the following:

'Sec. 1. 38 MRSA §420-A, sub-§4, as repealed and replaced by PL 1991, c. 66, Pt. A, §9 and affected by §43, is amended to read:

4. Report. The commissioner shall report by December-1, 1990, -and annually thereafter on December-1st, March 31st of each year on the results of the monitoring program to the joint standing committee of the Legislature having jurisdiction over natural resources. The annual report must contain the commissioner's conclusions as to the levels of dioxin contamination in the sample subjects and the likely scope of dioxin contamination in the State's waters.

Sec. 2. 38 MRSA §420-A, sub-§5, as amended by PL 1995, c. 223, §2, is further amended to read:

5. Fees assessed. The commissioner shall assess the selected facilities for the costs of sample collection and analysis, except that, if the selected facility is a publicly owned treatment works, the commissioner may assess the primary industrial generator discharging effluent into the treatment

COMMITTEE AMENDMENT

A. of S.

COMMITTEE AMENDMENT "A" to H.P. 220, L.D. 284

2 facility if the generator is known or likely to be discharging  
3 dioxin into the treatment facility. Fees received under this  
4 section must be credited to the Maine Environmental Protection  
5 Fund. Payment of these fees is a condition of the discharge  
6 license issued under this Title for continued operation of the  
7 selected facilities, except that, if the selected facility is a  
8 publicly owned treatment works and the commissioner assesses the  
9 fee on an industrial generator, payment of the fee is not a  
10 condition of the discharge license of the selected facility. The  
11 fees assessed under this subsection may not exceed a total of  
12 \$250,000 in any fiscal year.'

13 Further amend the bill by inserting after section 1 the  
14 following:

15 'Sec. 2. 38 MRSA §420-B, sub-§4, as enacted by PL 1993, c.  
16 720, §1, is amended to read:

17  
18 4. Report. No later than ~~January-1st~~ March 31st of each  
19 year, the commissioner shall report on the monitoring program to  
20 the joint standing committee of the Legislature having  
21 jurisdiction over natural resource matters. This report must  
22 contain:

23  
24 A. At the start of each 5-year period, the 5-year  
25 monitoring plan;

26  
27 B. The annual work program for the past year and the  
28 current year;

29  
30 C. The commissioner's conclusions as to the levels of toxic  
31 contamination in the State's waters and fisheries; and

32  
33 D. Any trends of increasing or decreasing levels of  
34 contaminants found; and

35  
36 E. The report on the results of the dioxin monitoring  
37 program required under section 420-A, subsection 4.'

38  
39 Further amend the bill by relettering or renumbering any  
40 nonconsecutive Part letter or section number to read  
41 consecutively.

42  
43 Further amend the bill by inserting at the end before the  
44 summary the following:

45	FISCAL NOTE	
46		
47		
48		
49		
50	1997-98	1998-99

# COMMITTEE AMENDMENT

2 **REVENUES**

4 Other Funds \$250,000 \$250,000

6 Continuation of the Dioxin Monitoring Program will increase  
7 assessment fees collections. The estimated annual increase of  
8 dedicated revenue to the Maine Environmental Protection Fund  
9 within the Department of Environmental Protection is \$250,000  
10 beginning in fiscal year 1997-98. Other Special Revenue  
11 allocations for this program have already been included in Public  
12 Law 1997, Chapter 24, Part A, section 25.'

14

15 **SUMMARY**

16

17 This amendment changes the dates on which the Commissioner  
18 of Environmental Protection is required to report on the dioxin  
19 monitoring program and the surface water ambient toxics  
20 monitoring program to require that both reports be submitted to  
21 the joint standing committee of the Legislature having  
22 jurisdiction over natural resources matters by March 31st of each  
23 year. The amendment also requires that the report on the results  
24 of the dioxin monitoring program be included as part of the  
25 report on the surface water ambient toxics monitoring program.

26

27 The amendment also imposes a cap on the total fees that may  
28 be assessed by the commissioner on facilities for the costs of  
29 sample collection and analysis under the dioxin monitoring  
30 program at \$250,000 in any fiscal year. The amendment also  
31 changes the title and adds a fiscal note to the bill.

32