

# MAINE STATE LEGISLATURE

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2001  
H. G. E.

L.D. 1454

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DATE: *June 20, 2001* (Filing No. S-376)

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**STATE OF MAINE  
SENATE  
120TH LEGISLATURE  
FIRST REGULAR SESSION**

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1085, L.D. 1454, "Resolve, to Study the Establishment of the Department of Environmental Protection as the Lead Response Agency in All Emergency Releases and Spills of Toxic or Hazardous Materials"

Amend the amendment by inserting after the 2nd indented paragraph after the title the following:

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

**Whereas,** in order for the study commission established in this resolve to meet and complete its duties in time for consideration by the Second Regular Session of the 120th Legislature, it is necessary that this resolve take effect immediately; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it'

Further amend the amendment in section 3 in the last 2 lines (page 2, lines 47 and 48 in amendment) by striking out the following: "30 days after all the appointments have been made" and inserting in its place the following: 'August 15, 2001'

Further amend the amendment in section 6 in the 3rd line from the end (page 1, line 28 in amendment) by striking out the following: "legislative per diem and"

**SENATE AMENDMENT**

2 Further amend the amendment in section 9 in the 6th and 7th  
lines (page 4, lines 7 and 8 in amendment) by striking out the  
4 following: "members of the commission who are Legislators and"  
and inserting in its place the following: 'Legislators and  
6 expenses for'

8 Further amend the amendment by striking out all of section  
10 and inserting in its place the following:

10 'Sec. 10. Allocation. Resolved: That the following funds are  
12 allocated from Other Special Revenue funds to carry out the  
purposes of this resolve.

14 2001-02

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### LEGISLATURE

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#### 20 Commission to Study the Implementation 22 of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials

24	Personal Services	\$1,375
	All Other	4,300

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28 Provides funds for the per diem and expenses  
of legislative members and expenses of other  
30 eligible members of the Commission to Study  
the Implementation of a Unified Emergency  
32 Response for Emergency Releases and Spills  
of Toxic or Hazardous Materials and to print  
the required report.

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36 LEGISLATURE  
TOTAL

\$5,675'

38 Further amend the amendment by inserting after section 10  
the following:

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

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### FISCAL NOTE

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2001-02

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### APPROPRIATIONS/ALLOCATIONS

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Other Funds	\$5,675
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2 This amendment clarifies that only legislative members of  
3 the Commission to Study the Implementation of a Unified Emergency  
4 Response for Emergency Releases and Spills of Toxic or Hazardous  
5 Materials are eligible for the payment of a per diem, which  
6 reduces the cost related to the study.

8 The Legislature will require an additional Other Special  
9 Revenue funds allocation of \$5,675 in fiscal year 2001-02 for the  
10 per diem and expenses of legislative members and expenses of  
11 other eligible members of the Commission to Study the  
12 Implementation of a Unified Emergency Response for Emergency  
13 Releases and Spills of Toxic or Hazardous Materials and to print  
14 the required report. Funds available within the Department of  
15 Defense, Veterans and Emergency Management, Maine Emergency  
16 Management Agency's dedicated State Emergency Response Commission  
17 account are available to reimburse the Legislature for the  
18 commission's costs.

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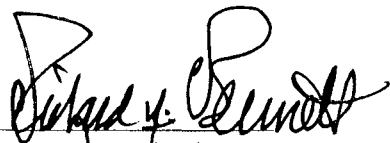
#### SUMMARY

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23 This amendment requires the first meeting of the Commission  
24 to Study the Implementation of a Unified Emergency Response for  
25 Emergency Releases and Spills of Toxic or Hazardous Materials to  
26 be held by August 15, 2001. It also limits payment of a per diem  
27 for attendance at commission meetings to Legislators. The  
28 amendment adds an emergency preamble and emergency clause.

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SPONSORED BY:   
(President Pro Tem BENNETT)

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COUNTY: Oxford

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