MAINE STATE LEGISLATURE

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L.D. 1034

DATE: 6/6/5 (Filing No. H-642)

HEALTH AND HUMAN SERVICES

8 Majority
10 Reproduced and distributed under the di

Reproduced and distributed under the direction of the Clerk of the House.

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STATE OF MAINE HOUSE OF REPRESENTATIVES 122ND LEGISLATURE FIRST SPECIAL SESSION

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COMMITTEE AMENDMENT "A" to H.P. 719, L.D. 1034, Bill, "An Act To Prevent Lead Poisoning of Children and Adults"

Amend the bill by striking out all of sections 1 and 2.

Further amend the bill in section 3 in that part designated "\$1322-E." in subsection 3 by striking out all of paragraph A (page 1, lines 33 to 37 in L.D.) and inserting in its place the following:

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'A. Contracts for funding community and worker educational outreach programs to enable the public to identify lead hazards and take precautionary actions to prevent exposure to lead;'

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Further amend the bill in section 3 in that part designated "§1322-E." in subsection 3 in paragraph D in the last line (page 2, line 7 in L.D.) by striking out the following: "and"

38 40 Further amend the bill in section 3 in that part designated "§1322-E." in subsection 3 in paragraph E in the last line (page 2, line 11 in L.D.) by striking out the following: "." and inserting in its place the following: '; and'

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Further amend the bill in section 3 in that part designated "\$1322-E." in subsection 3 by inserting at the end the following:

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'F. Funding for educational programs and information for owners of rental property used for residential purposes.'

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Further amend the bill in section 3 by striking out all of that part designated "\$1322-F." and inserting in its place the following:

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COMMITTEE AMENDMENT

'§1322-F. Lead poisoning prevention fee

4	1. Fee imposed. Beginning July 1, 2	2006, a fee i	s imposed
	on manufacturers or wholesalers of paint	sold in the	State to
6	support the Lead Poisoning Prevention Fund	under section	n 1322-E.
	The fee must be imposed at the manufacture	r or wholesal	er level,
8	in the amount of 25¢ per gallon of paint	estimated to	have been
	sold in the State during the prior year,	as determine	d by rule
10	adopted by the department.		-
12	2. Rules. By July 1, 2006, the		
	rules to implement this section, includi		
L4	which manufacturers or wholesalers of paint		
	responsible for the fees imposed under s		
16	establishing the estimated number of gallor	_	
	State in the prior year for each ma		
18	determining the manner of payment. The		
	waivers of payment for manufacturers and		
20	that is sold in low quantities in the		
	development of these rules and for admir		
22	Poisoning Prevention Fund must be reim		
	collected. The rules must specify that the		
24	is due by April 1, 2007. Rules adop		
	subsection are routine technical rules a	<u>s defined in</u>	Title 5,
26	chapter 375, subchapter 2-A.		
28	3. Enforcement. The Attorney General		
	of fees under this section through an action	•	
30	Kennebec County and may collect costs and a	ttorney's fee	<u>s.</u> '
32	Further amend the bill by striking ou	t all of sect	tion 4 and
	inserting in its place the following:		
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	'Sec. 4. Appropriations and allocate	tions. The	following
36	appropriations and allocations are made.		
38	HEALTH AND HUMAN SERVICES, DEPARTMENT OF		
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40	Lead Poisoning Prevention Fund		
42	Initiative: Provides a base allocation	of \$500 bec	dinning in
	fiscal year 2006-07 for the costs of the		
44	the administration of the fund and alloca	_	
- -	be funded by fees authorized to be impos-		
46	the fund.	ca for the p	TECOGO OI
4 0	cue rana.		
48	OTHER SPECIAL REVENUE FUNDS	2005–06	2006-07
4 0	Unallocated	\$ 0	\$500
	OHULLOCK COK	₩ ∪	4000

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OTHER SPECIAL REVENUE FUNDS TOTAL

-- \$0

\$500'

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

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8 SUMMARY

This amendment is the majority report of the committee. It imposes a fee of 25¢ per gallon of paint estimated to have been sold in the State during the prior year, to be paid by manufacturers or wholesalers of paint sold in the State, as determined by rule adopted by the Department of Health and Human The amendment deletes Services. references to lead-added products and environmental lead hazards. The amendment deletes the fees imposed on manufacturers and other persons who currently contribute or historically contributed to lead hazards and the criteria that is used to determine their responsibility. amendment deletes the exemption from responsibility for persons who are able to show that their products do not contribute to lead hazards. The amendment deletes the requirement that at least 50% of the Lead Poisoning Prevention Fund be allocated to grants for outreach programs. The amendment adds rulemaking to determine which manufacturers or wholesalers of paint will pay the fee, the number of gallons of paint that is the basis for the and the manner of payment and waiver procedures for manufacturers or wholesalers of paints sold in low quantities in The amendment deletes the provision requiring a the State. report to the Joint Standing Committee on Health and Human Services by January 15, 2006. This amendment also adds an appropriations and allocations section.

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FISCAL NOTE REQUIRED (See attached)

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122nd MAINE LEGISLATURE

LD 1034

LR 2022(02)

An Act To Prevent Lead Poisoning of Children and Adults

Fiscal Note for Bill as Amended by Committee Amendment "A"
Committee: Health and Human Services
Fiscal Note Required: Yes
Majority Report

Fiscal Note

	2005-06	2006-07	Projections 2007-08	Projections 2008-09
Appropriations/Allocations				
Other Special Revenue Funds	\$0	\$500	\$0	\$0

Fiscal Detail and Notes

Establishes the Lead Poisoning Prevention Fund as a non-lapsing Other Special Revenue Funds account in the Department of Health and Human Services. Provides a base allocation of \$500 for this account beginning in fiscal year 2006-07 for the costs of the development of rules, the administration of the fund, and allocations from the account in anticipation that fees authorized to be imposed will be collected. The amount of fees that will be deposited in the account cannot be determined at this time. Further assumes any additional costs to the Bureau of Health in the Department of Human Services to implement the provisions of the bill prior to the establishment of the authorized fees can be absorbed by the bureau utilizing existing resources.