

# MAINE STATE LEGISLATURE

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Msgr. [unclear]

M

L.D. 1034

DATE: 6/6/5

(Filing No. H-642)

HEALTH AND HUMAN SERVICES

Majority

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

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:

'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.'

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"

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" and inserting in its place the following: ': and'

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

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

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

COMMITTEE AMENDMENT

2 '§1322-F. Lead poisoning prevention fee

4 1. Fee imposed. Beginning July 1, 2006, a fee is imposed  
6 on manufacturers or wholesalers of paint sold in the State to  
8 support the Lead Poisoning Prevention Fund under section 1322-E.  
10 The fee must be imposed at the manufacturer or wholesaler level,  
in the amount of 25¢ per gallon of paint estimated to have been  
sold in the State during the prior year, as determined by rule  
adopted by the department.

12 2. Rules. By July 1, 2006, the department shall adopt  
14 rules to implement this section, including rules to determine  
16 which manufacturers or wholesalers of paint sold in the State are  
18 responsible for the fees imposed under subsection 1 and rules  
20 establishing the estimated number of gallons of paint sold in the  
22 State in the prior year for each manufacturer and rules  
24 determining the manner of payment. The rules must provide for  
26 wavers of payment for manufacturers and wholesalers of paint  
that is sold in low quantities in the State. The costs for  
development of these rules and for administration of the Lead  
Poisoning Prevention Fund must be reimbursed from the fees  
collected. The rules must specify that the first payment of fees  
is due by April 1, 2007. Rules adopted pursuant to this  
subsection are routine technical rules as defined in Title 5,  
chapter 375, subchapter 2-A.

28 3. Enforcement. The Attorney General shall enforce payment  
30 of fees under this section through an action in Superior Court in  
Kennebec County and may collect costs and attorney's fees.'

32 Further amend the bill by striking out all of section 4 and  
34 inserting in its place the following:

36 'Sec. 4. Appropriations and allocations. The following  
38 appropriations and allocations are made.

38 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

40 **Lead Poisoning Prevention Fund**

42 Initiative: Provides a base allocation of \$500 beginning in  
44 fiscal year 2006-07 for the costs of the development of rules,  
46 the administration of the fund and allocations from the fund to  
be funded by fees authorized to be imposed for the purposes of  
the fund.

48	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2005-06</b>	<b>2006-07</b>
50	Unallocated	\$0	\$500





# 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
<b>Appropriations/Allocations</b>				
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.