

# MAINE STATE LEGISLATURE

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HEALTH AND HUMAN SERVICES

Minority

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

COMMITTEE AMENDMENT 'B' 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.~~" by striking out all of subsection 2 (page 1, lines 26 to 28 in L.D.) and inserting in its place the following:

'2. Sources of fund. The fund is funded from all fees voluntarily contributed under section 1322-F and from other funds contributed by other persons and any funds accepted by the commissioner or allocated or appropriated by the Legislature.'

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"

COMMITTEE AMENDMENT

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'

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 in that part designated "§1322-E." in subsection 4 in the last line (page 2, line 18 in L.D.) by inserting after the following: "section." the following: 'The bureau shall undertake a public information campaign to acknowledge and thank manufacturers, wholesalers and others who make voluntary contributions to the fund.'

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

'5. Contingency. Funding for the purposes listed in subsection 3 is contingent upon receipt into the fund of sufficient funds under subsection 2.'

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

'§1322-F. Voluntary lead poisoning prevention fee

1. Voluntary fee. A fee, in an amount to be determined by the manufacturer or wholesaler, may be paid voluntarily by manufacturers or wholesalers of paint sold in the State to support the Lead Poisoning Prevention Fund under section 1322-E. The suggested amount of the fee is based on 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.

2. Rules. By July 1, 2006, the department shall adopt rules to implement this section, including rules to set the recommended amount of the voluntary fees and the manner of payment. The costs for development of these rules and for administration of the fund must be reimbursed from the fees collected. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.'

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



COMMITTEE AMENDMENT "B" to H.P. 719, L.D. 1034

2 The amendment adds rulemaking to set the recommended amount of  
the fee. The amendment deletes the provision requiring a report  
4 to the Joint Standing Committee on Health and Human Services by  
January 15, 2006. The amendment also adds an appropriations and  
allocations section.

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**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 122nd MAINE LEGISLATURE

LD 1034

LR 2022(03)

## An Act To Prevent Lead Poisoning of Children and Adults

Fiscal Note for Bill as Amended by Committee Amendment *B*

Committee: Health and Human Services

Fiscal Note Required: Yes

Minority 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 voluntary fees 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.