

MAINE STATE LEGISLATURE

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Date: 4/2/8

L.D. 2048
(Filing No. H-899)

Minority
NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "B" to H.P. 1432, L.D. 2048, Bill, "An Act To
Protect Children's Health and the Environment from Toxic Chemicals in Toys and
Children's Products"

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

**'Resolve, To Identify Chemicals of High Concern and To Establish a
Framework for State Action'**

Amend the bill by striking out everything after the title and before the summary and
inserting the following:

'Sec. 1. Chemicals of high concern. Resolved: That, by October 1, 2008, the
Department of Environmental Protection, working with the Department of Health and
Human Services, Maine Center for Disease Control and Prevention, jointly referred to in
this resolve as "the state agencies," shall prepare a list of chemicals of high concern. A
chemical may be included on the list only if it has been identified by an authoritative
governmental agency on the basis of credible scientific evidence as being known as:

1. A carcinogen, a reproductive or developmental toxicant or an endocrine disruptor;
2. Persistent, bioaccumulative and toxic; or
3. Very persistent and very bioaccumulative.

For each chemical on the list, the state agencies shall identify any existing or needed
scientific risk assessments required to determine human health effects at relevant
exposure levels; and be it further

Sec. 2. Stakeholders group. Resolved: That, by October 15, 2008, the state
agencies shall convene a stakeholders group, which must include at least one independent
nationally recognized expert recommended by the Society of Toxicology, to review the
list of chemicals of high concern and to provide recommendations to the state agencies on
additional chemicals that should be added to the list and recommendations on chemicals

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1 that should be removed from the list. After consideration of the information provided by
2 the stakeholders group, the state agencies may revise the list of chemicals of high
3 concern; and be it further

4 **Sec. 3. Collaboration with federal agencies. Resolved:** That, by November
5 15, 2008, the state agencies shall consult with the United States Environmental Protection
6 Agency, the National Institutes of Health, the National Institute of Environmental Health
7 Sciences and the United States Consumer Product Safety Commission, jointly referred to
8 in this resolve as "the federal agencies," regarding the scope of current and planned
9 federal activity relating to the safety of chemicals used in consumer products. The state
10 agencies shall also seek comment from the federal agencies on the list of chemicals of
11 high concern. The state agencies shall use the information provided by the federal
12 agencies to identify areas where action by the State is practical and necessary; and be it
13 further

14 **Sec. 4. Report. Resolved:** That, by February 1, 2009, the state agencies shall
15 submit to the joint standing committee of the Legislature having jurisdiction over natural
16 resources matters a report detailing the collaborative efforts between the federal agencies
17 and the state agencies. The report must also include recommendations for state action
18 relating to the regulation of chemicals in consumer products, specific details of resources
19 available to the state agencies to implement the recommendations and budget projections
20 for implementing the recommendations for the next 2 bienniums; and be it further

21 **Sec. 5. Appropriations and allocations. Resolved:** That the following
22 appropriations and allocations are made.

23 **ENVIRONMENTAL PROTECTION, DEPARTMENT OF**

24 **Remediation and Waste Management 0247**

25 Initiative: Provides funds for a limited-period Toxicologist position, contractual services
26 and general operating expenses required to carry out the purposes of this Act. The
27 position end date is June 12, 2009.

28	GENERAL FUND	2007-08	2008-09
29	Personal Services	\$0	\$77,259
30	All Other	\$0	\$83,673
31			
32	GENERAL FUND TOTAL	\$0	\$160,932

33 ,

34 **SUMMARY**

35 This amendment is the minority report. The amendment replaces the bill with a
36 resolve. It directs the Department of Environmental Protection, working with the
37 Department of Health and Human Services, Maine Center for Disease Control and
38 Prevention, to develop a list of chemicals of high concern. It requires the department and
39 the center to convene a stakeholders group to gather recommendations on the list. It
40 requires the department and the center to consult with the United States Environmental

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1 Protection Agency, the National Institutes of Health, the National Institute of
2 Environmental Health Sciences and the United States Consumer Product Safety
3 Commission regarding the safety of chemicals used in consumer products and to identify
4 areas where action by the State is practical and necessary. Finally, it requires the
5 department and the center to submit a report to the joint standing committee of the
6 Legislature having jurisdiction over natural resources matters regarding their
7 collaborative efforts and adds an appropriations and allocations section.

8 **FISCAL NOTE REQUIRED**
9 (See attached)

COMMITTEE AMENDMENT



Approved: 03/31/08 *MAC*

123rd MAINE LEGISLATURE

LD 2048

LR 2877(03)

An Act To Protect Children's Health and the Environment from Toxic Chemicals in Toys and Children's Products

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

Committee: Natural Resources

Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$0	\$160,932	\$0	\$0
Appropriations/Allocations				
General Fund	\$0	\$160,932	\$0	\$0

Fiscal Detail and Notes

This legislation includes a General Fund appropriation to the Department of Environmental Protection of \$160,932 in fiscal year 2008-09 to provide funds for a limited period Toxicologist position, contractual services and general operating expenses required to carry out the purposes of this act.