

# MAINE STATE LEGISLATURE

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L D 941

Date 5/30/23

(Filing No H-257)

**INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND  
BUSINESS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
131ST LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT "A" to H P 588, L D 941, "An Act Facilitating the Efforts of the Midcoast Regional Redevelopment Authority and the Town of Brunswick to Design and Carry Out Improvements to the Storm Water System and Other Infrastructure at the Former Brunswick Naval Air Station"

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

**'Resolve, Establishing the Commission to Study Improvements to Conventional Infrastructure and Storm Water Management at the Former Brunswick Naval Air Station'**

Amend the bill by striking out everything after the title and inserting 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,** evaluating the need to replace, repair or upgrade conventional infrastructure and storm water management throughout the entirety of the former Brunswick Naval Air Station is of critical importance to the health, safety and prosperity of the State and the southern midcoast region, 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,

**Sec. 1. Commission established. Resolved:** That, notwithstanding Joint Rule 353, the Commission to Study Improvements to Conventional Infrastructure and Storm Water Management at the Former Brunswick Naval Air Station, referred to in this resolve as "the commission," is established

**Sec. 2. Membership. Resolved:** That the commission consists of 9 members as follows

**COMMITTEE AMENDMENT**

1           1 Two members of the Senate appointed by the President of the Senate, including a  
2 member from each of the 2 parties holding the largest number of seats in the Legislature,  
3 with preference given to members who cosponsored Legislative Document 941 in the 131st  
4 Legislature,

5           2. Two members of the House of Representatives appointed by the Speaker of the  
6 House, including a member from each of the 2 parties holding the largest number of seats  
7 in the Legislature, with preference given to members who sponsored or cosponsored  
8 Legislative Document 941 in the 131st Legislature,

9           3 One member representing the Office of the Town Manager in the Town of  
10 Brunswick, appointed by the President of the Senate,

11           4 One member representing an organization composed of Brunswick-area residents  
12 that advocate for a safe environment, appointed by the Speaker of the House,

13           5 The Commissioner of Environmental Protection, or the commissioner's designee,

14           6 The Commissioner of Economic and Community Development, or the  
15 commissioner's designee, and

16           7 The executive director of the Midcoast Regional Redevelopment Authority, or the  
17 executive director's designee

18           **Sec. 3. Chairs. Resolved:** That the first-named Senate member is the Senate chair  
19 and the first-named House of Representatives member is the house chair of the commission

20           **Sec. 4. Appointments. Resolved:** That all appointments must be made no later than  
21 30 days following the effective date of this resolve. The appointing authorities shall notify  
22 the Executive Director of the Legislative Council once all appointments have been  
23 completed. After appointment of all members, the chairs shall call and convene the first  
24 meeting of the commission. If 30 days or more after the effective date of this resolve a  
25 majority of but not all appointments have been made, the chairs may request authority and  
26 the Legislative Council may grant authority for the commission to meet and conduct its  
27 business

28           **Sec. 5. Duties. Resolved:** That the commission has the following duties

29           1 Evaluate the need to replace, repair or upgrade conventional infrastructure and storm  
30 water management throughout the former Brunswick Naval Air Station for the purpose of  
31 protecting the health and safety of residents, businesses, nonprofit organizations and the  
32 former naval air station's flora and fauna,

33           2 Review ongoing federal and state remediation and safe storage efforts with respect  
34 to perfluoroalkyl and polyfluoroalkyl substances, perfluorooctanesulfonic acid and  
35 perfluorooctanoic acid, also known as PFAS, PFOS and PFOA, respectively, and other  
36 known hazardous chemicals in order to ensure that any steps to replace, repair or upgrade  
37 the infrastructure identified in subsection 1 are consistent with such efforts,

38           3 Recommend appropriate steps to replace, repair or upgrade conventional  
39 infrastructure and storm water management throughout the former Brunswick Naval Air  
40 Station. In developing recommendations under this subsection, the commission shall  
41 consider the following

1 A Any state policy changes that may be necessary to enable infrastructure upgrades at  
 2 the former Brunswick Naval Air Station,

3 B The potential division of responsibilities between state and federal entities to  
 4 complete such work and the costs associated with that work, and

5 C Any potential for federal funding or grant assistance that may be available to help  
 6 fund the work

7 The commission shall consult with each member of Maine's congressional delegation  
 8 for input and assistance in conducting each of its duties under this section

9 As used in this section, "conventional infrastructure" includes roads and sidewalks,  
 10 underground facilities as defined in the Maine Revised Statutes, Title 23, section 3360-A,  
 11 subsection 1, paragraph E and utilities as defined in Title 35-A, section 102, subsection 13

12 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide  
 13 necessary staffing services to the commission, except that Legislative Council staff support  
 14 is not authorized when the Legislature is in regular or special session

15 **Sec. 7. Meetings. Resolved:** That the commission is authorized to hold a maximum  
 16 of 4 meetings

17 **Sec. 8. Report. Resolved:** That, notwithstanding Joint Rule 353, no later than  
 18 January 1, 2024, the commission shall submit a report that includes its findings and  
 19 recommendations for presentation to the Joint Standing Committee on Innovation,  
 20 Development, Economic Advancement and Business The Joint Standing Committee on  
 21 Innovation, Development, Economic Advancement and Business is authorized to submit  
 22 legislation related to the report to the Second Regular Session of the 131st Legislature

23 **Emergency clause.** In view of the emergency cited in the preamble, this legislation  
 24 takes effect when approved '

25 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
 26 number to read consecutively

27 **SUMMARY**

28 This amendment establishes the Commission to Study Improvements to Conventional  
 29 Infrastructure and Storm Water Management at the Former Brunswick Naval Air Station,  
 30 which is a 9-member commission directed to

31 1 Evaluate the need to replace, repair or upgrade conventional infrastructure and storm  
 32 water management throughout the entirety of the former Brunswick Naval Air Station for  
 33 the purpose of protecting the health and safety of residents, businesses, nonprofit  
 34 organizations and the former naval air station's flora and fauna,

35 2 Review ongoing federal and state remediation and safe storage efforts with respect  
 36 to perfluoroalkyl and polyfluoroalkyl substances, perfluorooctanesulfonic acid and  
 37 perfluorooctanoic acid, also known as PFAS, PFOS and PFOA, respectively, and other  
 38 known hazardous chemicals in order to ensure that any steps to replace, repair or upgrade  
 39 infrastructure are consistent with such efforts, and

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3 Recommend appropriate steps for the replacement, repair or upgrade of conventional infrastructure and storm water management throughout the former Brunswick Naval Air Station

The commission is required to submit a report no later than January 1, 2024 for presentation to the Joint Standing Committee on Innovation, Development, Economic Advancement and Business, which is authorized to submit legislation to the Second Regular Session of the 131st Legislature

**FISCAL NOTE REQUIRED**  
(See attached)

**COMMITTEE AMENDMENT**



# 131st MAINE LEGISLATURE

LD 941

LR 1922(02)

**An Act Facilitating the Efforts of the Midcoast Regional Redevelopment Authority and the Town of Brunswick to Design and Carry Out Improvements to the Storm Water System and Other Infrastructure at the Former Brunswick Naval Air Station**

**Fiscal Note for Bill as Amended by Committee Amendment "A" (H-257)  
Committee: Innovation, Development, Economic Advancement and Business  
Fiscal Note Required: Yes**

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## Fiscal Note

### Legislative Cost/Study

#### Legislative Cost/Study

The general operating expenses of this study are projected to be \$3,050 in fiscal year 2023-24. The Legislature's proposed budget for the 2024-2025 biennium includes \$14,500 in each of fiscal years 2023-24 and 2024-25 for the costs of legislative studies, as well as \$2,234 in projected balances from fiscal year 2022-23 and \$36,777 of balances carried over from prior years for this purpose. Whether these amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature. The additional costs of providing staffing assistance to the study during the interim can be absorbed utilizing existing budgeted staff resources.

#### Fiscal Detail and Notes

Any additional costs to the Department of Environmental Protection and the Department of Economic and Community Development from the provisions of this bill are expected to be minor and can be absorbed within existing budgeted resources.