

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

Sec. 1. 17 MRSA §3321, sub-§§2 and 3, as enacted by PL 1991, c. 123, are amended to read:

2. Conspicuous sign. A conspicuous sign in the store entrance that states that between the hours of 9 p.m. and 5 a.m. the cash register contains \$50 or less, that there is a safe in the store and that the safe is not accessible to the employees; ~~and~~

3. Limited cash. During the hours of 9 p.m. to 5 a.m., no more than \$50 cash available and readily accessible to employees; ~~and~~

Sec. 2. 17 MRSA §3321, sub-§4 is enacted to read:

4. Accessible telephone or alarm. An alarm or telephone within the store that is accessible to the employees. The alarm must be connected to a public or private safety agency.

See title page for effective date.

CHAPTER 348

S.P. 820 - L.D. 2223

An Act to Encourage Continuous Improvement in Pollution Prevention in Maine

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §2302, first ¶, as amended by PL 1991, c. 520, §10, is further amended to read:

It is the policy of the State to reduce the amount of the toxic substances used in the State, to reduce worker and environmental exposure to the release of toxic substances, to reduce the hazardous waste generated within the State and to minimize the transfer of toxic pollutants from one environmental medium to another. The State encourages an integrated approach to toxics use reduction, toxics release reduction and hazardous waste reduction based on the hierarchies of pollution prevention management strategies included in this section. It is further the policy of the State that the process of reducing the use and release of toxic substances and reducing the generation of hazardous waste through planning and analysis of manufacturing and commercial processes is ongoing and that the principles of continuous improvement in pollution prevention and open, public accountability must be applied to environmental quality management efforts in both public and private facilities.

Sec. 2. 38 MRSA §2302, sub-§2, as amended by PL 1991, c. 520, §10, is further amended to read:

2. Toxics release reduction. The State ~~requires~~ encourages reducing the release of toxics during manufacturing and other processes through, in addition to encouraging the toxics use reduction techniques specified in subsection 1, in-plant changes in production or other processes or operations that reduce or avoid exposure of workers and the environment to toxics.

Sec. 3. 38 MRSA §2302, sub-§3, as amended by PL 1993, c. 732, Pt. A, §12, is further amended to read:

3. Hazardous waste reduction. The State ~~requires~~ encourages reducing the generation of hazardous waste through, in addition to any toxics use and release reduction techniques employed by the facility, the application of the following techniques:

- A. Recovery of toxics from production and other processes for reuse;
- B. On-site recycling of hazardous waste;
- C. Off-site recycling of hazardous waste; and
- D. Treatment, other than incineration, of hazardous waste to reduce volume or toxicity or both.

Sec. 4. 38 MRSA §2302, sub-§4 is enacted to read:

4. State facilities. The Commissioner of Administrative and Financial Services, in consultation with the commissioner, shall lead the development of a pollution prevention system for state facilities by January 1, 2005 focusing on compliance with all relevant environmental regulatory and statutory requirements, improved environmental performance, reduction of toxics use and pollution prevention opportunities.

Sec. 5. 38 MRSA §2303, as amended by PL 1991, c. 520, §§11 and 12, is further amended to read:

§2303. Toxics use, toxics release and hazardous waste reduction goals

The State's goals for reduction of the volume of toxics used and released and hazardous waste that is generated within the State are as follows.

1. Toxics use reduction goals. Using the amount of toxics used statewide in 1990 as a baseline figure, the statewide goals for toxics use reduction are a ~~40%~~ 40% reduction in the amount of toxic substances used in the State by January 1, ~~1994~~ 2002, a ~~20%~~ 50% reduction by January 1, ~~1996~~ 2004 and a ~~30%~~ 60% reduction by January 1, ~~1998~~ 2006.

2. Toxics release reduction goals. Using an average of the aggregate amounts of toxics released ~~at a facility statewide~~ in calendar years 1990 and 1991 as a baseline figure, the goals for reducing the aggregate amount of toxics released to the environment ~~at the facility statewide~~ are a ~~10%~~ 40% reduction by January 1, ~~1994~~ 2002, a ~~20%~~ 50% reduction by January 1, ~~1996~~ 2004 and a ~~30%~~ 60% reduction by January 1, ~~1998~~ 2006. ~~Until a base year and measurement techniques are established, there are no specific goals for worker exposure to toxics releases, but owners or operators of those facilities regulated by this chapter must examine means to reduce exposure. For purposes of this subsection, toxics refers to substances listed pursuant to the SARA, Title III, Section 313. To assist facilities in complying with this subsection, the Commissioner of Environmental Protection shall develop a methodology to measure reductions for toxics releases. This methodology may be based on reports filed with the Maine Emergency Management Agency pursuant to the SARA, Title III, Section 313, and other available data.~~

3. Hazardous waste generation minimization goals. The goals for minimizing the amount of hazardous waste generated ~~at a facility statewide~~ are a ~~10%~~ 40% reduction by January 1, ~~1994~~ 2002, a ~~20%~~ 50% reduction by January 1, ~~1996~~ 2004 and a ~~30%~~ 60% reduction by January 1, ~~1998~~ 2006. Reductions must be based on ~~a facility's~~ the average generation rate in the State for the years 1987 and 1989.

4. Establishment of unit of product. A facility must establish its own unit of product to aid the department in accounting accurately for changes in toxics use, toxics release and hazardous waste generation due to business growth or decline. Once established and accepted by the commissioner, a facility's unit of product remains constant from year to year. If a facility changes its products or services so that use of the previously accepted unit of product no longer accurately accounts for toxics use, toxics release and hazardous waste reductions, the facility may petition the commissioner to change its unit of product. The commissioner may establish guidelines to aid facilities in the establishment of unit of product.

5. Progress evaluation; report. Progress toward meeting the statewide toxics use, toxics release and hazardous waste reduction goals ~~may~~ must be evaluated annually by the commissioner based on manifest data, progress reports submitted under ~~Title 37-B, sections 797 and 799~~ section 2305-A, annual hazardous waste generator reports and other appropriate available information. To determine achievement of statewide reduction goals, the commissioner may adjust the baseline figure to account for changes in the statutory or regulatory definitions of toxic substances and hazardous wastes.

The commissioner shall report biennially on the progress toward meeting the statewide goals established in this section and the adequacy of the goals set by facilities. In evaluating the adequacy of facility goals, the commissioner may not consider the statewide goals. The report must include a listing of all facilities subject to the requirements of this chapter, the planning status of each facility, the goals set by each facility and the progress made by each facility, excluding any information entitled to protection as confidential information or a trade secret pursuant to section 1310-B; section 2307-A, subsection 5; or Title 37-B, section 800. The report must also include, for informational purposes, summaries of the use and release of toxic and hazardous materials not subject to the provisions of this chapter for which the department maintains informational, planning or regulatory programs. The commissioner shall submit the report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 15th of each odd-numbered year.

6. New facilities. Facilities constructed after the effective date of this chapter should be designed to minimize toxics use, toxics release and hazardous waste generation in accordance with the State's policies as set forth in section 2302 and may be evaluated on the basis of units of product for the amount of toxics used, toxics released and hazardous waste generated. New facilities that are described in section 2304-A are subject to the requirements of this chapter.

7. Petition. A toxics releaser may petition the commissioner to eliminate a substance from the total volume of toxics release subject to the reductions ~~required~~ under subsection 2 when the toxics releaser demonstrates that release of the substance does not pose an unreasonable threat to occupational health, public health or the environment.

Sec. 6. 38 MRSA §2304, as amended by PL 1995, c. 493, §§16 to 18, is repealed.

Sec. 7. 38 MRSA §2304-A is enacted to read:

§2304-A. Regulated community

1. Plans and reports required. Owners or operators of the following facilities shall prepare pollution prevention plans and biennial progress reports consistent with the requirements of this chapter, unless exempted under subsection 2:

A. Facilities subject to reporting requirements for extremely hazardous substances under the SARA, Title III, Section 312;

B. Facilities required to report under the SARA, Title III, Section 313; and

C. Facilities that generate 100 kilograms, or 220 pounds, or more of hazardous waste in a calendar month for more than 3 months of the year.

2. Exemptions. The following are exempt from the planning, reporting and fee requirements of this chapter:

A. Drinking water supply treatment facilities;

B. Municipal wastewater treatment facilities;

C. Wholesale distributors of chemicals;

D. Hazardous substance transporters;

E. Retail and wholesale distribution facilities of motor fuel, aviation fuel, heating oil or other refined petroleum products;

F. Agricultural activities;

G. Commercial hazardous waste treatment or storage facilities;

H. For purposes of the planning, reporting and fee requirements relating to hazardous waste generation only, pilot plants or pilot production units;

I. Hazardous waste transporters;

J. Hazardous waste generated as a result of remedial or corrective actions or facility closures required by law or undertaken to protect employee health and safety, public health and safety or the environment;

K. Households;

L. Zinc emissions from tire burning; and

M. Sulfuric acid emissions from burning fuel that is approved by the department.

Sec. 8. 38 MRSA §2305, as amended by PL 1991, c. 520, §14, is further amended to read:

§2305. Pollution prevention plans

~~These Owners or operators of facilities subject to regulation under the requirements of this chapter shall develop by January 1, 1993 2000 and update at least every 2 years thereafter pollution prevention plans for their own use in meeting the State's goals.~~ The board may establish rules for toxics use, toxics release and hazardous waste reduction plans to be prepared pursuant to this section. A plan must include:

1. Management policy. A statement of facility-wide management policy regarding toxics use, toxics release and hazardous waste reduction;

2. Production unit analysis. The following information for each production unit:

A. Identification ~~and~~ characterization and accounting of the types and amounts of all toxics used, toxics released and hazardous wastes generated at the facility;

B. Identification, analysis and evaluation of any appropriate technologies, procedures, processes, equipment or production changes that may be utilized by the facility to reduce the amount or toxicity of toxics used, toxics released or hazardous wastes generated by that facility, including a financial analysis of the costs and benefits of reducing the amount of toxics used, toxics released and hazardous waste generated. This portion of the plan must employ the hierarchy of reduction techniques established under section 2302;

C. A strategy and schedule for implementing practicable reduction options for each production process utilized to meet reduction goals;

D. Identification of any reasonably available markets or recycling opportunities for hazardous waste generated by the facility; and

E. A program for maintaining records on toxics use, toxics release and hazardous waste generation rates and management costs;

2-A. Facility goals. The facility's 2-year numeric goals for reducing the aggregate amount of extremely hazardous substances used, the aggregate amount of toxic substances released and the aggregate amount of hazardous waste generated at the facility by 2002, 2004 and 2006. The goals must be established per unit of product to account for changes in the level of production activity from year to year;

3. Internal plan approval. ~~The signature of a principal executive officer of at least the level of vice-president, if the toxics user, toxics releaser or generator is a corporation; a general partner or a proprietor, if the toxics user, toxics releaser or generator is a partnership or sole proprietorship; or a principal executive officer or ranking elected official, if the toxics user, toxics releaser or generator is a municipal, state, federal or other public agency senior official with management responsibility for the person or persons completing the plan; and~~

4. Employee involvement, awareness and training. An employee awareness and training program consistent with the requirements of section 2306 to involve employees in toxics use, toxics reduction and hazardous waste reduction planning and implementation to the maximum amount feasible.

The plan may include a description of any pollution prevention strategies implemented at the facility after 1991 and before 1998.

Owners ~~and~~ or operators of facilities shall keep a complete copy of the plan and any ~~back-up~~ backup data on the premises of that facility for at least 5 years and make the copy and data available to the commissioner or the commissioner's designee upon request.

Sec. 9. 38 MRSA §2305-A is enacted to read:

§2305-A. Progress reports

Beginning in 2000, the owner or operator of a facility subject to the requirements of this chapter shall submit a biennial pollution prevention progress report to the department by July 1st of every even-numbered year. The progress report may be submitted to the department in an electronic format. A progress report must include the following:

1. Facility goals. Each of the facility's 2-year numeric goals established in the plan. If any of the goals has been revised since the previous progress report was submitted, the report must include an explanation of the revision;

2. Progress achieved. A quantitative statement of the facility's progress toward achieving each of its 2-year goals and an identification, in absolute amounts and per unit of product, of the reduction or increase in the amount of each extremely hazardous substance used, toxics released and hazardous waste generated in comparison to the previous 2 years;

3. Method. A description of the techniques used to achieve each reduction identified pursuant to subsection 2;

4. Explanation. An explanation of why the facility's progress is greater than or less than that anticipated in the pollution prevention plan schedule for implementation;

5. Employee involvement. A description of employee notification and involvement in the planning process;

6. Future pollution prevention methods. A description, for each production unit, of the pollution prevention techniques that the owner or operator of the facility intends to undertake during the next 2 years to reduce the use of extremely hazardous substances, to reduce the release of toxic substances and to reduce the generation of hazardous waste and a schedule for the implementation of the techniques; and

7. Certification. A written certification signed by a senior official with management responsibility for the person or persons completing the progress report that the owner or operator of the facility has

prepared a pollution prevention plan and that the plan is available on site for the department's inspection.

A progress report may exclude any information entitled to protection as confidential information or a trade secret pursuant to section 1310-B or Title 37-B, section 800.

Sec. 10. 38 MRSA §2306, as amended by PL 1991, c. 520, §15, is further amended to read:

§2306. Employee and host municipality notification

Six months prior to the date when a ~~reduction~~ pollution prevention plan or update must be completed, the owner or operator of each facility ~~must~~ shall notify all of its employees of the requirements for the plans, identify the toxic substances and hazardous wastes and production units for which plans must be developed and ~~solicit comments or suggestions from all employees on~~ involve employees in developing the pollution prevention plan or update, including the identification of toxics use, toxics release and hazardous waste reduction options. In a facility in which employees are represented by a labor organization, employee representatives who work at the facility and who are selected by the labor organization shall be involved in the development of the plan. In a facility in which employees are not represented by a labor organization, the employee involvement requirement must be met through employee representation on committees or groups formed to develop the plan. A description of the employee notification process and employee involvement must be included in the progress report submitted in accordance with section 2305-A.

The owner or operator of a facility shall notify the municipal officers of the municipality in which the facility is located of the facility's pollution prevention efforts and shall provide the municipal officers with a copy of the progress report when it is submitted to the department.

Sec. 11. 38 MRSA §2307, as amended by PL 1991, c. 520, §16, is repealed.

Sec. 12. 38 MRSA §2307-A is enacted to read:

§2307-A. Authority to review; modification

1. Plan summary. The commissioner may require the owner or operator of a facility to submit a summary of the pollution prevention plan required under section 2305 within 60 days when:

A. A facility has not made sufficient progress in reducing toxics use, toxics release or hazardous

waste generation as evidenced by the facility's progress report; or

B. A new facility has toxics use, toxics release or hazardous generation rates that are significantly greater per unit of product than in similar facilities within the same standard industrial code category.

A plan summary submitted to the commissioner pursuant to this subsection must include the evaluation methods used, the findings and conclusions and the implementation schedule. An owner or operator may designate information in a plan summary as confidential under section 1310-B.

The commissioner may review a plan summary, pursuant to subsection 2, and require the owner or operator of a facility to make any modifications to the plan summary necessary for compliance with this chapter.

2. Review of plan summary. In reviewing the adequacy of a plan summary, the commissioner shall base a determination on whether the plan summary is complete and prepared in accordance with the facility goals and guidelines established pursuant to this chapter. In reviewing a plan summary, the commissioner has the authority to require the owner or operator of the facility to provide information the commissioner finds necessary to analyze the reviewed document.

If the commissioner determines that a plan summary is inadequate, the commissioner shall notify the owner or operator of the facility of the inadequacy, identifying the specific deficiencies. The commissioner may specify a reasonable time period of not less than 90 days within which the owner or operator of the facility must submit a modified plan summary addressing the specified deficiencies. The commissioner may, upon request, provide technical assistance, if available, to aid the owner or operator of the facility in modifying the plan summary.

If the commissioner determines that a modified plan summary is inadequate, the commissioner may either require further modification or assess fees as provided in section 2313. If a generator fails to submit a modified plan summary within the required time period, the commissioner may assess additional fees as established in section 1319-I, subsection 2-A.

3. Review of plan. The commissioner shall review the pollution prevention plan of a facility when, in the commissioner's judgment, the plan summary indicates significant deficiencies in the pollution prevention efforts at the facility or when the facility fails to reach any of its reduction goals by more than 25%, as indicated in the plan summary. The commissioner may require the owner or operator of a facility

to make any modifications to a pollution prevention plan necessary for compliance with this chapter. In reviewing a pollution prevention plan, the commissioner has the authority to require the owner or operator of the facility to provide information the commissioner finds necessary to analyze the reviewed document. If the commissioner requires the owner or operator of the facility to modify a pollution prevention plan, the commissioner shall allow a reasonable time period of not less than 90 days for the modifications to be made and shall consider the financial impact of the changes or modifications on the owner or operator of the facility. The owner or operator of a facility may appeal to the board a decision of the commissioner to require the owner or operator to modify a pollution prevention plan under this subsection or subsection 4.

4. Municipal petition for review of plan. The commissioner shall review the pollution prevention plan of a facility upon receipt of a petition to review the plan submitted by the municipal officers in the municipality in which the facility is located. The commissioner shall make a written determination on whether the plan meets the facility goals and guidelines of this chapter and explain the reasons for the determination. If the commissioner determines that the plan is inadequate, the commissioner may require the owner or operator of the facility to make modifications pursuant to this section.

5. Confidentiality. Upon a satisfactory showing to the commissioner by the owner or operator of a facility required to submit information under this chapter that a progress report or plan summary developed under this chapter, if made public, would divulge methods, processes or other information entitled to protection, the commissioner shall hold as confidential that progress report or plan summary or a portion of that progress report or plan summary pursuant to section 1310-B.

Sec. 13. 38 MRSA §2309, sub-§§1 and 2, as enacted by PL 1989, c. 929, §7, are amended to read:

1. Data collection and dissemination. The commissioner shall develop the necessary information base and data collection programs to establish program priorities and; evaluate the progress of toxics use, toxics release and hazardous waste reduction goals; and fully inform the public of efforts made and progress achieved in reducing toxics use, toxics release and hazardous waste generation. By January 1, 2001, the commissioner shall organize and store the information submitted to the department in biennial progress reports in electronic form in a manner that facilitates public access including, without limitation, making the information available through the Internet. The commissioner shall ensure the confidentiality of

any information designated as confidential or a trade secret. At a minimum, the commissioner shall ensure that the following information is readily available to the public:

A. The statewide goals and the progress made toward meeting them;

B. The name, location and contact information for each facility subject to the requirements of this chapter;

C. An indication of the availability of the progress report for each facility;

D. The 2-year goals established by each facility for the reduction of toxics used, toxics released and hazardous waste generated at the facility; and

E. Each facility's progress made toward meeting each of its goals.

2. Technical services. The commissioner may shall disseminate information concerning toxics use, toxics release and hazardous waste reduction through various means including publications, the Internet, seminars, model plans, recommended waste assessment procedures and lists of consultants on toxics use, toxics release and hazardous waste reduction technologies. The commissioner shall establish a clearinghouse of technical information on best-of-class methods for toxics use reduction for each of the classes of facilities subject to the requirements of this chapter.

Sec. 14. 38 MRSA §2309, sub-§§7 to 10 are enacted to read:

7. Reports. In addition to the biennial progress report submitted by the commissioner to the Legislature under section 2303 and after public review and comment, the commissioner shall submit the following reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters:

A. By January 15, 2001, an evaluation of and recommendations for additional chemicals and classes of facilities to be added to planning and reporting requirements;

B. By January 15, 2001, an assessment of and recommendations for focusing use reduction and pollution prevention efforts on the most toxic chemicals and classes of chemicals. The commissioner shall base the assessment on existing toxicity information, and the recommendations may include changes to chemical lists and reporting thresholds; and

C. For the preceding 2-year period, a listing of those facilities that have exceeded their goals by more than 25% and those that have failed to meet their goals by at least 25%. This report must be submitted on October 1, 2002 and every 2 years thereafter.

8. Additional facilities; planning requirements. The commissioner may make a finding that participation by a class of facilities in toxics reduction planning pursuant to this chapter could reduce the threat to public health, safety, occupational exposure and risk to the environment. Such a finding must follow public notice and be based on the past performance of that class of facilities and the extent to which that class of facilities contributes to the total amount and overall toxicity of toxics used, toxics released or hazardous waste generated in the State or a region of the State. If the commissioner makes such a finding, the board may by rule designate that class of facilities as subject to this chapter. Such a rule is a major substantive rule under Title 5, chapter 375, subchapter II-A.

9. Future statewide goals. By January 1, 2007, the commissioner shall report to the joint standing committee of the Legislature having jurisdiction over natural resources matters with recommendations regarding new statewide goals for reducing the amount of toxics used, toxics released and hazardous waste generated consistent with the principles of continuous improvement in environmental management. The commissioner shall base the proposed new goals on the extent of progress achieved by facilities throughout the State, the availability of new reduction methods and the degree of risk and hazard to occupational health, public health and safety and environmental quality posed by the use or release of toxic substances in the State and by the generation of hazardous waste in the State. At the expiration of the time periods for the goals established under this subsection, the commissioner shall repeat the process.

10. Performance recognition program. The commissioner shall establish a biennial recognition program for facilities achieving a minimum reduction of 40%, 50% and 60% in toxics use, toxics release or hazardous waste generation by 2002, 2004 and 2006, respectively.

Sec. 15. 38 MRSA §2311, as amended by PL 1997, c. 643, Pt. L, §1, is repealed.

Sec. 16. 38 MRSA §2311-A is enacted to read:

§2311-A. Fees

The commissioner shall deposit all money received in payment of fees under this section in a separate nonlapsing account within the Maine

Hazardous Waste Fund to cover expenses incurred by the department in the administration of this chapter.

1. Toxics users. Toxics users shall submit \$100 for each extremely hazardous substance reported by the facility under this chapter to the department annually by April 15th.

2. Toxics releasers. Toxics releasers shall submit \$100 for each toxic substance reported by the facility under this chapter to the department annually by July 1st.

3. Hazardous waste generators. Generators that ship 300 kilograms, or 661 pounds, or more of hazardous waste in a calendar year shall pay the following fees to the department annually by April 15th: for generators that ship 2,268.0 kilograms, or 5,000 pounds, or more of hazardous waste in a calendar year, the fee is \$1,000; for generators that ship between 1,197.5 kilograms and 2,267.5 kilograms, or 2,640 pounds and 4,999 pounds, per calendar year, the fee is \$500; and for generators that ship between 300 kilograms and 1,197.0 kilograms, or 661 pounds and 2,639 pounds, per calendar year, the fee is \$100. Generators that ship less than 300 kilograms, or 661 pounds, of hazardous waste in a calendar year are not required to pay fees under this section.

4. Fee limitation. A facility subject to fees under this section may not be assessed more than \$1,000 per year.

Sec. 17. 38 MRSA §2312, as amended by PL 1991, c. 520, §§24 and 25, is repealed.

Sec. 18. 38 MRSA §2313 is enacted to read:

§2313. Penalties

1. General. The owner or operator of a facility subject to the requirements of this chapter that fails to meet any requirement of this chapter is subject to penalties under section 349 and, as applicable, fees assessed under section 1319-I, subsection 2-A.

2. Trade secrets; unlawful disclosure. It is unlawful to disclose any information designated as confidential or a trade secret under this chapter to an unauthorized person. A person who violates this subsection is subject to the penalties specified in section 1310-B, subsection 6.

Sec. 19. Interim report; statewide goals. The Commissioner of Environmental Protection shall submit an interim report to the Joint Standing Committee on Natural Resources by February 15, 2000 with the commissioner's recommendations regarding the statewide reduction goals established in the Maine Revised Statutes, Title 38, section 2303 and

whether those goals should be revised. In developing the recommendations, the commissioner shall consult with regulated facilities regarding their facility goals.

Sec. 20. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Act.

	1999-00	2000-01
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Remediation and Waste Management		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$37,969	\$52,044
All Other	7,500	10,000
Capital Expenditures	3,000	
Allocates funds for one additional Environmental Specialist III position and operating costs necessary for implementing additional review responsibilities, adopting certain rules and submitting certain reports to the Legislature.		
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	\$48,469	\$62,044

See title page for effective date.

CHAPTER 349

H.P. 71 - L.D. 84

An Act to Make It a Crime to Solicit a Child by Means of Computer to Commit a Prohibited Act

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 15 MRSA §5821, sub-§7, as amended by PL 1989, c. 302, §2, is further amended to read:

7. Real property. Except as provided in paragraph A, all real property, including any right, title or interest in the whole of any lot or tract of land and any appurtenances or improvements, which is used or intended for use, in any manner or part, to commit or to facilitate the commission of a violation of Title 17-A, section 1103 or 1105, which is a Class A, Class