

Date: (Filing No. S-)

ENVIRONMENT AND NATURAL RESOURCES

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
127TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to S.P. 397, L.D. 1128, Bill, "An Act To Make Minor Changes and Corrections to Statutes Administered by the Department of Environmental Protection"

Amend the bill by striking out all of sections 5 and 6 and inserting the following:

'Sec. 5. 38 MRSA §420-B, sub-§4, as amended by PL 2007, c. 565, §5, is further amended to read:

4. Report. No later than ~~March 31st of each year~~ April 30th in the first regular legislative session, the commissioner shall prepare a report on the monitoring program and shall provide an executive summary of the report to the joint standing committees of the Legislature having jurisdiction over natural resources matters and marine resources matters, shall publish the full report on the department's publicly accessible website and shall provide a copy or copies of the full report to the State Librarian as required under Title 1, section 501-A. This report must contain:

- A. ~~At the start of each 5-year period, the 5-year monitoring plan;~~
B. The annual work program for the past year and the current year;
C. The commissioner's conclusions as to the levels of toxic contamination in the State's waters and fisheries;
D. Any trends of increasing or decreasing levels of contaminants found; and
E. The results of the dioxin monitoring program required under subsection 1-A.

Sec. 6. 38 MRSA §464, sub-§3, ¶C, as affected by PL 1989, c. 890, Pt. A, §40 and amended by Pt. B, §55, is further amended to read:

C. The commissioner shall report annually to each the first regular session of the each Legislature on the status of licensed discharges.'

Amend bill in section 9 in §1319-O in subsection 2 in paragraph A in the first line (page 5, line 10 in L.D.) by striking out the following: "board commissioner" and inserting the following: "board"

COMMITTEE AMENDMENT

1 Amend bill in section 9 in §1319-O in subsection 2 in paragraph B in the first line
2 (page 5, line 19 in L.D.) by striking out the following: "~~board~~ commissioner" and
3 inserting the following: 'board'

4 **SUMMARY**

5 This amendment retains the provisions from the bill except for the following:

6 1. It allows for the submission of an executive summary of the Commissioner of
7 Environmental Protection’s report on the surface water ambient toxic monitoring program
8 to the joint standing committees of the Legislature having jurisdiction over natural
9 resources matters and marine resources matters and requires the full report to be
10 published on the Department of Environmental Protection’s website and a copy or copies
11 to be provided to the State Librarian and retains the requirements that the report contain
12 the annual work program for the past year and the current year and the results of the
13 dioxin monitoring program;

14 2. It retains the commissioner’s report on the status of licensed discharges but
15 changes the reporting frequency from annual to biennial; and

16 3. It provides that rule-making authority on the transportation, collection and storage
17 of waste oil and on the registration, design and operation of used oil collection centers for
18 the purposes of the Maine Revised Statutes, Title 38, section 1319-Y remains with the
19 Board of Environmental Protection and is not transferred to the commissioner.

20 **FISCAL NOTE REQUIRED**

21 **(See attached)**