

Date:

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**ENVIRONMENT AND NATURAL RESOURCES**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 261, L.D. 407, “An Act to Prohibit the Use of Aqueous Film-forming Foam at the Former Brunswick Naval Air Station”

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

**'Resolve, to Ensure the Removal of Aqueous Film-forming Foam from the Former Brunswick Naval Air Station'**

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

**'Sec. 1. Midcoast Regional Redevelopment Authority; activities regarding removal of aqueous film-forming foam. Resolved:** That the Midcoast Regional Redevelopment Authority, established in the Maine Revised Statutes, Title 5, section 13083-G and referred to in this resolve as "the authority," shall take all necessary steps to ensure that:

1. No later than December 31, 2025, all fire suppression systems and any other systems containing aqueous film-forming foam that are located on any property leased or owned by the authority are shut off or otherwise made incapable of dispensing or releasing aqueous film-forming foam;

2. No later than December 31, 2025, all aqueous film-forming foam or aqueous film-forming foam concentrate not contained in a fire suppression system or other system that is located on any property leased or owned by the authority is removed from that property;

3. No later than July 1, 2026, funding is acquired by the authority sufficient to cover the anticipated costs of completely purging all fire suppression systems and any other systems containing aqueous film-forming foam that are located on any property leased or owned by the authority so that those systems no longer contain any aqueous film-forming foam or any residue containing aqueous film-forming foam as provided in subsection 4; and

4. No later than December 31, 2026, all fire suppression systems and any other systems containing aqueous film-forming foam that are located on any property leased or owned by

1 the authority are completely purged so that those systems no longer contain any aqueous  
2 film-forming foam or any residue containing aqueous film-forming foam.

3 As used in this resolve, "aqueous film-forming foam" means a fire suppressant foam  
4 containing fluorinated surfactants intended for extinguishing flammable liquid fires.'

5 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
6 number to read consecutively.

## 7 SUMMARY

8 This amendment, which is the majority report of the committee, replaces the bill with  
9 a resolve. It directs the Midcoast Regional Redevelopment Authority to take all necessary  
10 steps to ensure that:

11 1. No later than December 31, 2025, all fire suppression systems and any other systems  
12 containing aqueous film-forming foam that are located on any property leased or owned by  
13 the authority are shut off or otherwise made incapable of dispensing or releasing aqueous  
14 film-forming foam;

15 2. No later than December 31, 2025, all aqueous film-forming foam or aqueous film-  
16 forming foam concentrate not contained in a fire suppression system or other system that  
17 is located on any property leased or owned by the authority is removed from that property;

18 3. No later than July 1, 2026, funding is acquired by the authority sufficient to cover  
19 the anticipated costs of completely purging all fire suppression systems and any other  
20 systems containing aqueous film-forming foam that are located on any property leased or  
21 owned by the authority so that those systems no longer contain any aqueous film-forming  
22 foam or any residue containing aqueous film-forming foam; and

23 4. No later than December 31, 2026, all fire suppression systems and any other systems  
24 containing aqueous film-forming foam that are located on any property leased or owned by  
25 the authority are completely purged so that those systems no longer contain any aqueous  
26 film-forming foam or any residue containing aqueous film-forming foam.

27 The preliminary fiscal impact statement for the bill identifies a potential unfunded state  
28 mandate in the bill's prohibiting the discharge, test, storage or use of aqueous film-forming  
29 foam on any property leased or owned by the Midcoast Regional Redevelopment  
30 Authority. The committee reviewed the preliminary fiscal impact statement and determined  
31 that, although those activities constitute a required expansion or modification of activities  
32 so as to necessitate additional expenditures, the Midcoast Regional Redevelopment  
33 Authority is not a local unit of government within the meaning of the Constitution of Maine,  
34 Article IX, Section 21 and, accordingly, the amendment does not represent a state mandate.

## 35 FISCAL NOTE REQUIRED

36 (See attached)