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Date: (Filing No. H- )

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

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

COMMITTEE AMENDMENT “ ” 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

