STATE OF MAINE

———

IN THE YEAR OF OUR LORD

TWO THOUSAND AND SEVENTEEN

———

S.P. 421 - L.D. 1258

An Act To Modernize the Voluntary Response Action Program Funding Process

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

Sec. 1. 38 MRSA §342, sub-§15, as enacted by PL 1993, c. 355, §3, is amended to read:

15. Technical services. The commissioner shall establish a technical services unit within the department to assist any person involved in a real estate transaction in determining whether real property that is the subject of the transaction has been the site of a discharge, release or threatened release of a hazardous substance, hazardous waste, hazardous matter, special waste, pollutant or contaminant, including petroleum products or by-products.

The commissioner may also assist in or supervise the development and implementation of reasonable and necessary response actions. Assistance may include review of agency records and files, review and approval of a requester's investigation plans, site assessments and reports, voluntary response action plans and implementation of those plans.

The fee for department assistance in submitting a voluntary response action plan under section 343-E is equal to 1% of the assessed value of the property at the time the request is submitted, except that the fee may not exceed $15,000.

~~The person requesting~~ For all other requests for assistance under this subsection, a person shall pay the department an initial nonrefundable fee of up to $500 to be determined by the ~~Commissioner~~ commissioner. The person shall also pay the department for its actual direct and indirect costs of providing assistance, which must be determined by the commissioner but which must not on an hourly basis exceed $50 per hour per person. Money received by the department for assistance under this subsection must be deposited in the Uncontrolled Sites Fund established in section 1364, subsection 6.

Sec. 2. Effective date. This Act takes effect January 1, 2018.