

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND ELEVENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY AND NATURAL RESOURCES
BILL SUMMARY



JULY, 1983

Prepared by:

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Energy & Natural Resources Committee

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|-----|---|-------------|--------|
| 780 | AN ACT TO AMEND THE MUNICIPAL PLANNING AND ZONING LAW | Mitchell, J | LV/WD |
| 797 | AN ACT REDUCING THE EXPERIENCE PERIOD FOR RECEIVING A GRADE V SEWAGE TREATMENT OPERATOR'S LICENSE | Twitchell | LV/WD |
| 845 | AN ACT TO REVISE THE STRUCTURE OF THE BOARD OF ENVIRONMENTAL PROTECTION | Kany | OTP-ND |

Enacted in new draft as LD 1434 (PL 1983 c. 483)

SUMMARY: This bill removes the commissioner from the Board of Environmental Protection and provides for the election of a chairman by the board. There is no affect on the other members of the board. The bill also transfers administrative functions from the board to the commissioner of the Department of Environmental Protection.

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| 865 | AN ACT CONCERNING ACCESS ROADS TO GREAT PONDS AND LAKES | McGowan | LV/WD |
| 916 | AN ACT RELATING TO AUTHORITY OF THE LAND USE REGULATION COMMISSION OVER ORGANIZED MUNICIPALITIES | McBreairty | INDEF. PP |

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| 972 | AN ACT TO REQUIRE LEGISLATIVE APPROVAL OF REGIONAL RADIO-ACTIVE WASTE FACILITIES | Shute | OTP-ND |
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Enacted in New Draft as LD 1738 (PL 1983 c. 500)

SUMMARY: This bill requires legislative approval of the establishment of any low-level radioactive waste storage or disposal facility within the State.

Any person intending to construct or operate such a facility must file preliminary notice with the Department of Environmental Protection and the municipality, and then a full application with the Board of Environmental Protection under the site location of development laws, Title 38, section 481. The board is then required to hold public hearings. Any person who resides within the State is entitled to be heard, and this right to be heard does not automatically confer party status. The municipality is allowed to appoint 4 voting representatives to the board, as is the case for commercial hazardous waste facilities. After the hearings, the board has 90 days to deny permission, or recommend that the Legislature

grant that permission. Legislative approval constitutes approval under the site location of development laws.

1061 AN ACT TO CREATE AN EMERGENCY PETROLEUM RESERVE FOR THE STATE McGowan LV/WD

SUMMARY: This bill represents an updating of Maine law to reflect changes in the Council of State Government's Model Radiation Act that are appropriate for the administration of an adequate state radiation protection program. The Department of Human Services is designated as the Radiation Control Agency and is responsible for coordinating radiation activities. An Advisory Committee on Radiation may now be appointed by the Governor to make recommendations to the commissioner and furnish advice, as requested, on matters relating to the regulation of sources of radiation. Appropriate departments are assigned to coordinate administration of related issues. Other sections of the bill address licensing, DEP jurisdiction, user fees, training programs, record maintenance, federal-State agreements, judicial review and penalties.

1092 AN ACT TO ENCOURAGE PUBLIC ACCESS TO SHORELAND Mitchell, J LV/WD

1107 AN ACT TO ESTABLISH A COMMISSION ON MAINE'S ENERGY FUTURE Curtis LV/WD

1162 AN ACT TO PROVIDE MUNICIPAL AUTHORITY OVER SITING RADIO-ACTIVE WASTE FACILITIES Shute LV/WD

1195 AN ACT TO REVISE THE STATUTES RELATING TO RADIATION CONTROL Kany PL 1983, c. 345

SUMMARY: This bill represents an updating of Maine law to reflect changes in the Council of State Government's Model Radiation Act that are appropriate for the administration of an adequate state radiation protection program. The Department of Human Services is designated as the Radiation Control Agency and is responsible for coordinating radiation activities. An Advisory Committee on Radiation may now be appointed by the Governor to make recommendations to the commissioner and furnish advice, as requested, on matters relating to the regulation of sources of radiation. Appropriate departments are assigned to coordinate administration of related issues. Other sections of the bill address licensing, DEP jurisdiction, user fees, training programs, record maintenance, federal-state agreements, judicial review, and penalties.