

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

LD 1217 An Act to Amend the Laws Concerning Dam Registration Fees ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
NORTON ONTP

SUMMARY

This bill would have established a separate annual registration fee for dams that are located on an individual's property and maintained by that landowner for agricultural purposes or other purposes that do not produce or enhance profit on the part of the landowner.

LD 1218 An Act Related to Unavoidable Equipment Malfunctions PUBLIC 232

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
LORD OTP-AM H-261

SUMMARY

This bill would have provided that owners and operators of certain facilities are not subject to penalty for unavoidable equipment malfunctions, whether or not emission or discharge limits are exceeded nor, with respect to air emission sources, for excess emissions during start-up and shutdown as long as reasonable steps have been taken to prevent the malfunction to minimize the discharge or emission.

Committee amendment "A" (H-261) replaced the bill. The amendment grants the Commissioner of Environmental Protection the discretionary authority to exempt from civil penalty an air emission or wastewater discharge that is in excess of a license limitation if the emission or discharge occurs during start-up or shutdown of equipment. Existing law already grants such discretionary authority to the commissioner for emissions or discharges that occur during unavoidable malfunctions.

By striking the word "may" and inserting the word "shall" in the Maine Revised Statutes, Title 38, section 414-A, subsection 4, the amendment requires, rather than allows, the Commissioner of Environmental Protection to fashion license conditions that allow reasonably controlled and infrequent bypasses at treatment facilities if an applicant demonstrates to the department that such bypasses are necessary for essential maintenance to ensure efficient operation of the plant.

By striking the word "may" and inserting the word "shall" in Title 38, section 590, subsection 5, the amendment requires, rather than allows, the Commissioner of Environmental Protection to fashion license conditions that allow infrequent excess emissions during cold start-up and planned shutdown of facilities if an applicant demonstrates to the department that such emissions are unavoidable during those periods.

LD 1244 An Act to Protect Leaseholders ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
TUFTS ONTP

SUMMARY

This bill would have required owners of leased recreational lots to give the current lessee 180 days' notice of any transfer or sale of that leased lot and the right of first refusal. Any sale must be at the fair market value based on sales and transfers within 10 miles of the property.