

MAINE STATE LEGISLATURE

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**STATE OF MAINE
116TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES**

MAY 1994

Staff:
Tim Glidden, Principal Analyst
Patrick Norton, Legislative Analyst
Deborah Friedman, Legislative Analyst

Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670

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DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS

ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

authorization, and 18 dams used as upstream storage either for FERC licensed hydropower dams or other "grandfathered" generating dams.

**LD 1776 An Act to Refund Money Collected from the Disposal Fee on
Major Appliances and Tires to Municipalities**

ONTP

SPONSOR(S)

LORD

COMMITTEE REPORT

ONTP

MAJ

OTP-AM

MIN

AMENDMENTS ADOPTED

SUMMARY

This bill would have allowed municipalities to be reimbursed for 50% of solid waste disposal fees deposited in the Maine Solid Waste Management Fund.

The minority amendment would have clarified that a municipality receives reimbursement only for fees paid by its residents, specified a procedure for collecting the reimbursement, and eliminated funding and positions in the Department of Environmental Protection and the Maine Waste Management Agency to reflect the loss of funds from the Maine Solid Waste Management Fund.

**LD 1791 An Act to Prevent Damage Claims against the State Due to
the Installation of Drinking Water Wells in Areas of
Possible Hazardous Substances and Oil Pollution**

PUBLIC 621

SPONSOR(S)

ANDERSON

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-878

SUMMARY

This bill would have defined "potential groundwater contamination source" and prohibited the location and establishment of new groundwater drinking water supply wells within specified distances from potential contamination sources.

COMMITTEE AMENDMENT "A" (H-878) replaces the bill. It limits recovery from responsible parties or from the Groundwater Oil Clean-up Fund, the Coastal and Inland Surface Oil Clean-up Fund or the Uncontrolled Hazardous Waste Site Fund for costs incurred in treating or replacing a contaminated well that serves a location that was connected to a viable community water supply system immediately before the well was installed. If the well was installed in an area delineated by the Department of Environmental Protection as a contaminated area, the Commissioner of Environmental Protection and the responsible parties are not required under the Maine Revised Statutes, Title 38 to reimburse the person for treatment and replacement costs. If the well was installed in any other area, recovery would be limited to the cost of drilling the well and its proper abandonment and would exclude the cost of the pump, the piping and the cost differential between public water and private well water. This does not relieve the commissioner or a responsible party from other clean-up responsibilities imposed by law.

The amendment also changes the category of sites for which municipalities are prohibited from receiving landfill remediation grants. Current law excludes grants to remediate threats to any structure built or approved by the municipality. The amendment excludes grants for structures built by the municipality or any local government entity in which the municipality or its residents participates. This change was added to avoid a conflict with changes made in LD 1757.