

MAINE STATE LEGISLATURE

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(New Draft of H.P. 1465, L.D. 1917)

SECOND REGULAR SESSION

ONE HUNDRED AND ELEVENTH LEGISLATURE

Legislative Document

No. 2410

H.P. 1818

House of Representatives, April 3, 1984

Reported by Representative Michaud from the Committee on Energy and Natural Resources and printed under Joint Rule 2.

Original bill presented by Representative Ridley of Shapleigh.

EDWIN H. PERT, Clerk

STATE OF MAINE

IN THE YEAR OF OUR LORD
NINETEEN HUNDRED AND EIGHTY-FOUR

AN ACT to Amend the Air Emission License
Law.

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

Sec. 1. 38 MRSA §582, sub-§3, as enacted by PL 1969, c. 474, §1, is amended to read:

3. Air pollution. "Air pollution" means the presence in the outdoor atmosphere of one or more air contaminants in sufficient quantities and of such characteristics and duration as to be injurious to human, plant or animal life or to property, or which unreasonably interfere with the enjoyment of life and property throughout the State or throughout such areas of the State as shall be affected thereby, ~~excluding, however, all air conditions subject to the requirements of employer-employee contracts, and state or local labor laws and industrial codes inse-~~

1 far as these excluded air conditions are confined to
2 and exist solely within the property boundaries of
3 the person giving rise to that air condition.

4 Sec. 2. 38 MRSA §584, first paragraph, as
5 amended by PL 1979, c. 541, Pt.A, §272, is further
6 amended to read:

7 The board shall establish and may amend reason-
8 able standards, in this chapter called "ambient air
9 quality standards," within a reasonable air quality
10 region regulating and limiting the amount and types
11 of air contaminants which may exist in the ambient
12 air of such region. Such standards shall be designed
13 to preserve or enhance the quality of ambient air
14 within such region and to prevent air pollution. The
15 board shall determine by rule the extent to which
16 those standards apply within those areas to which the
17 public does not have general access.

18 STATEMENT OF FACT

19 This new draft removes certain parts of the Re-
20 vised Statutes, Title 38, section 582 regarding dele-
21 gation of authority which have been found unconstitu-
22 tional. Instead, it authorizes the Board of Environ-
23 mental Protection to determine by rule the extent to
24 which ambient air quality standards apply within ar-
25 eas to which the public does not have general access.

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