

MAINE STATE LEGISLATURE

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
114TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1753, L.D. 2416, Bill, "An Act to Establish Fees for Nonferrous Metal Mining"

Amend the amendment in section 1 in that part designated "~~§349-A.~~" by striking out all of the first line (page 1, line 22 in amendment) and inserting in its place the following:

'§349-A. Mining rules'

Further amend the amendment in section 1 in that part designated "~~§349-A.~~" in the first paragraph in the 2nd line (page 1, line 25 in amendment) by striking out the following: "comprehensive rules governing" and inserting in its place the following: 'or amend rules necessary to regulate'

Further amend the amendment in section 1 in that part designated "~~§349-A.~~" in the first paragraph in the 7th line (page 1, line 30 in amendment) by inserting after the following: "commissioner and the" the following: 'Director of the'

Further amend the amendment in section 2 in subsection 4-A, in paragraph A, in the first line (page 1, line 42 in amendment) by striking out the following: "\$10,000" and inserting in its place the following: '\$20,000 until the one-time allocation made pursuant to section 1319-E, subsection 1, paragraph F, has been repaid. Thereafter the preapplication fee is \$10,000'

Further amend the amendment in section 3 in subsection 1-A in the first paragraph by inserting at the end the following: 'Any preapplication fee received by the department must be transferred from the fund to the Maine Hazardous Waste Fund until the one-time allocation made pursuant to section 1319-E, subsection 1, paragraph F, has been repaid.'

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1753,
L.D. 2416

2 Further amend the amendment in section 10 by striking out
all of paragraph F and inserting in its place the following:

4 'F. A one-time allocation of \$100,000 to the department and
6 the Maine Land Use Regulation Commission to develop mining
8 rules pursuant to section 349-A. This allocation must be
10 repaid by any preapplication fees assessed pursuant to
12 section 352, subsection 4-A, or any federal funds received
14 by the department to develop mining rules.'

16 Further amend the amendment by striking out all of sections
18 11 and 12 and inserting in their place the following:

20 'Sec. 11. Allocation. The following funds are allocated from
22 Other Special Revenue funds to carry out the purposes of this Act.

24 **1989-90**

26 **CONSERVATION, DEPARTMENT OF**

28 **Maine Land Use Regulation Commission**

30 All Other \$50,000

32 Provides funds for the promulgation of
34 mining rules.

36 **DEPARTMENT OF CONSERVATION**
38 **TOTAL** \$50,000

40 **ENVIRONMENTAL PROTECTION,**

42 **DEPARTMENT OF**
44 **Maine Hazardous Waste Fund**

46 All Other \$50,000

48 Provides funds for the promulgation of
mining rules.

DEPARTMENT OF ENVIRONMENTAL
PROTECTION
TOTAL \$50,000

TOTAL ALLOCATIONS \$100,000'

Further amend the amendment by striking out all of the
fiscal note and inserting in its place the following:

FISCAL NOTE

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If enacted, this legislation will result in:

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1. An increase in dedicated revenue to the Maine Environmental Protection Fund in the amount of \$40,000 for fiscal year 1989-90. This increase in revenue, derived from the anticipated preapplication mining fees, will be transferred to the Maine Hazardous Waste Fund. This legislation contains language that allows the transfer from the Maine Environmental Protection Fund to repay a one-time allocation from the Maine Hazardous Waste Fund. Some additional revenue also could be realized from the proposed processing fee or annual license fee in fiscal year 1990-91. The exact amount can not be determined at this time. No additional allocations are required since the increase in revenue will be used to fund existing staff expenses;

2. An allocation of Other Special Revenue to the Department of Conservation, Maine Land Use Regulation Commission, in the amount of \$50,000 for fiscal year 1989-90 for the promulgation of mining rules; and

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3. An allocation of Other Special Revenue to the Department of Environmental Protection, Maine Hazardous Waste Fund, in the amount of \$50,000 for fiscal year 1989-90 for the promulgation of mining rules.'

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STATEMENT OF FACT

This amendment requires the Department of Environmental Protection and the Maine Land Use Regulation Commission to adopt or amend rules necessary to regulate mining in this State rather than comprehensively reworking all the rules governing mining. This is expected to decrease the cost of developing rules.

The preapplication fee for nonferrous metal mining is increased to \$20,000 and these funds, together with any federal money received to develop mining rules, are dedicated to repaying a one-time allocation from the Maine Hazardous Waste Fund.

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This allocation of \$100,000 is split between the Department of Environmental Protection and the Maine Land Use Regulation Commission to jointly develop rules.

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Filed by Rep. Michaud of East Millinocket
Reproduced and distributed under the direction of the Clerk of the House
4/6/90 (Filing No. H-1094)

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