

# MAINE STATE LEGISLATURE

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# 116th MAINE LEGISLATURE

FIRST REGULAR SESSION-1993

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Legislative Document

No. 556

S.P. 164

In Senate, February 18, 1993

**An Act to Establish Greater Consistency among Federal and State  
Environmental Regulations.**

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Reference to the Committee on Energy and Natural Resources suggested and ordered printed.

A handwritten signature in cursive script, reading 'Joy J. O'Brien'.

JOY J. O'BRIEN  
Secretary of the Senate

Presented by Senator CLEVELAND of Androscoggin.

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

4 Sec. 1. 38 MRSA §342, sub-§9, as enacted by PL 1989, c. 890,  
Pt. A, §18 and affected by §40, is amended to read:

6 9. Rules. The commissioner may submit to the board new or  
amended rules for its adoption. Rules that contain a provision  
8 or provisions that are substantively inconsistent with  
regulations or standards enacted or promulgated by the Federal  
10 Government must be clearly identified for the board in the basis  
12 statement of the proposed rule. The basis statement must also  
contain a justification for the inconsistency with the federal  
rule or standard.

14  
16 STATEMENT OF FACT

18 This bill requires the Department of Environmental  
Protection to be clear in the rules that it submits to the Board  
20 of Environmental Protection about provisions that are  
inconsistent with federal rules or standards that regulate the  
22 same subject matter. This bill also requires the department to  
justify proposed inconsistencies with federal rules or standards.