

MAINE STATE LEGISLATURE

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S.M.C.
R.O.P.S.

Date: 5/18/17

Minority

(Filing No. H-212.)

ENVIRONMENT AND NATURAL RESOURCES

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1003, L.D. 1453, Bill, "An Act To Regulate Hydraulic Fracturing To Prevent Threats to Maine's Drinking Water"

Amend the bill by striking out the title and substituting the following:

'An Act To Prohibit Hydraulic Fracturing To Prevent Threats to Maine's Drinking Water'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

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

Sec. 1. 38 MRSA c. 3, sub-c. 1, art. 10 is enacted to read:

ARTICLE 10

HYDRAULIC FRACTURING

§490-WW. Definition

As used in this article, unless the context otherwise indicates, "hydraulic fracturing" means a stimulation technique used to increase production of oil and gas involving the injection of fluids under pressures great enough to fracture the oil-producing and gas-producing rock formations.

§490-XX. Prohibition on hydraulic fracturing

Notwithstanding any other provision of law to the contrary, a person may not perform or cause to be performed hydraulic fracturing in the State.

§490-YY. Prohibition on importation of wastes from hydraulic fracturing

Notwithstanding any other provision of law to the contrary, a person may not transport any hydraulic fracturing wastewater, waste product or by-product resulting from

COMMITTEE AMENDMENT

1 hydraulic fracturing exploration or production into the State for the purpose of treatment,
2 discharge, disposal or storage.'

3 **SUMMARY**

4 This amendment, which is the minority report of the committee, changes the title,
5 removes the emergency preamble and clause and replaces the bill. It prohibits hydraulic
6 fracturing in the State and prohibits the transportation of hydraulic fracturing wastewater,
7 waste products or by-products into the State for the purpose of treatment, discharge,
8 disposal or storage.

FISCAL NOTE REQUIRED
(See attached)



128th MAINE LEGISLATURE

LD 1453

LR 1703(02)

An Act To Regulate Hydraulic Fracturing To Prevent Threats to Maine's Drinking Water

Fiscal Note for Bill as Amended by Committee Amendment *A (14-212)*
Committee: Environment and Natural Resources
Fiscal Note Required: Yes

Fiscal Note

Minor cost increase - General Fund

Fiscal Detail and Notes

This bill would prohibit hydraulic fracturing and the transportation of hydraulic fracturing by-products, wastewater and waste products in the State. The Department of Environmental Protection has indicated that current statutes regarding well injection, discharge of pollutants and groundwater protection regulations would all have the cumulative effect of preventing the granting of a permit to perform hydraulic fracturing activities in the State. Any additional costs to the department to coordinate the enforcement of the currently existing statutes with regard to hydraulic fracturing are anticipated to be minor and can be absorbed within existing budgeted resources.