

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND SEVENTEENTH LEGISLATURE

FIRST REGULAR SESSION
December 7, 1994 to June 30, 1995

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 29, 1995

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4

J.S. McCarthy Company
Augusta, Maine
1995

In developing the alternatives for consideration by the council, the work groups shall consider ways in which the alternatives may be coordinated with and further the goals of the growth management program, must be guided by the objectives listed in section 1 and the institutional mechanisms in section 2, and shall include administrative mechanisms and funding needs and options; and be it further

Sec. 4. Allocation. Resolved: That the following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this resolve.

1995-96

**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

Land Quality Control

All Other \$85,000

Provides for the allocation of funds for contracted services supporting the analysis of alternatives to the site location of development law.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 14, 1995.

CHAPTER 22

S.P. 409 - L.D. 1097

**Resolve, to Establish the Task Force
to Study Environmental Regulation
Relating to the Paper Industry**

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission on the Future of Maine's Paper Industry developed evidence that a number of Maine's environmental standards exceed those of the Federal Government; and

Whereas, the predominant complaint made to the commission about environmental standards concerned duplicate review and permitting; and

Whereas, the issues of standards and permitting are very important and immediate for the paper industry; and

Whereas, the predominant complaint made about environmental regulation, in general, concerned permit processing time; and

Whereas, the Commission on the Future of Maine's Paper Industry identified the public input as the time-consuming aspect of the permitting process; and

Whereas, the cycle in which the paper industry now finds itself is opportunistic for capital investment; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Task force created and charged. Resolved: That the Task Force to Study Environmental Regulation, referred to in this resolve as the "task force," is created to study state environmental standards and duplicate environmental review and permitting; and be it further

Sec. 2. Appointment of members. Resolved: That the task force consists of 5 members. The Governor shall appoint one member from the Department of Economic and Community Development, one member from the Department of Environmental Protection, one member from the federal Environmental Protection Agency and 2 members from the paper industry.

All appointments must be made no later than 30 days following the effective date of this resolve. The Governor shall notify the Executive Director of the Legislative Council upon making the appointments; and be it further

Sec. 3. Convening of task force. Resolved: That the Governor shall call the first meeting of the study commission between the 30th and 45th days following the effective date of this resolve. If the deadlines for the appointments and meeting are not met, the task force may extend the deadline for completion of its work in order to compensate for the lost days. A quorum for the task force is a majority of the members appointed at the time of the vote; and be it further

Sec. 4. Selection of chair. Resolved: That the Department of Economic and Community Development appointee is chair of the task force; and be it further

Sec. 5. Study subjects and tasks. Resolved: That the task force shall carry out the following 3 tasks in the manner indicated.

1. Environmental regulations. In terms of environmental regulations, the task force shall:

A. Determine which state statutory standards and regulatory standards, interpretations or other requirements that relate to the paper industry exceed or are inconsistent with federal requirements; and

B. For those requirements that exceed the federal requirements, obtain data to compare them, as a minimum, to the 5 leading paper industry states.

2. Duplicate review and permitting. In terms of duplicate review and permitting, the task force shall identify and make recommendations for eliminating duplicate review and permitting in all areas relative to the paper industry, including the following:

A. Duplicate review when a municipality has a certified plan;

B. Duplicate review between state and federal programs, such as National Pollutant Discharge Elimination Systems and wetlands management;

C. Duplicate review between activities reviewed by the Maine Land Use Regulation Commission and permitting requirements under the natural resources protection laws;

D. Duplicate reporting under the new emissions inventory reporting rule;

E. Duplicate reports under the toxics use reduction reporting requirements;

F. Duplicate notice requirements for malfunctions and instances that exceed governmental standards;

G. Duplicate hazardous waste storage inspection and reporting requirements;

H. Duplicate review of landfills; and

I. Duplicate standards between the natural resources protection laws and the federal Clean Water Act.

3. Public input. The task force shall compare the time taken for public input in this State with that in other states and, if that time is longer, identify if this is caused by opportunities provided by law or rule or whether the public takes more advantage of the opportunity provided. In exploring this issue, the task force shall determine the number of public hearings,

the number of witnesses at hearings and the expenditures by environmental and industry lobbying organizations; and be it further

Sec. 6. Staffing. Resolved: That the Department of Economic and Community Development shall provide staffing and clerical support to the task force; and be it further

Sec. 7. Compensation. Resolved: That task force members serve without per diem or expenses; and be it further

Sec. 8. Report. Resolved: That the task force shall submit to the Legislature, with a copy to the Governor, a brief report of its findings and shall make an oral presentation to the joint standing committees of the Legislature having jurisdiction over economic development matters and environmental protection matters.

The task force shall finalize its conclusions and recommendations by November 1, 1995 and submit its report to the Legislature by December 1, 1995.

If the task force requires an extension, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 9. Budget. Resolved: That the Department of Economic and Community Development shall administer the task force's budget; and be it further

Sec. 10. Funding. Resolved: That the task force may seek, accept and expend private or public funding for its activities; and be it further

Sec. 11. Allocation. Resolved: That the following funds are allocated from Other Special Revenue funds to carry out the purposes of this resolve.

1995-96

**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF
Office of Business
Development**

All Other \$500

Allocates funds to authorize expenditures if private or public funds are received to support the activities of the Task Force to Study

Environmental Regulation
 Relating to the Paper Industry.

Emergency clause. In view of the emergency cited in the preamble, this resolve takes effect when approved.

Effective June 20, 1995.

CHAPTER 23

H.P. 934 - L.D. 1315

Resolve, Authorizing the State Tax Assessor to Convey the Interest of the State in Certain Real Estate in the Unorganized Territory

Sec. 1. State Tax Assessor authorized to convey real estate. Resolved: That the State Tax Assessor is authorized to convey by sale the interest of the State in real estate in the Unorganized Territory as indicated in this resolve. The sale, except as otherwise directed in this resolve, must be made to the highest bidder subject to the following provisions:

1. Notice of the sale must be published 3 times prior to the sale, once each week for 3 consecutive weeks in some newspaper in the county where the real estate lies; except in those cases in which the sale is to be made to a specific individual or individuals as authorized in this resolve, in which case notice need not be published; and

2. A parcel may not be sold for less than the amount as authorized in this resolve. If identical high bids are received, the bid postmarked with the earliest date is considered the highest bid.

If bids in the minimum amount recommended in this resolve are not received after the notice, the State Tax Assessor may sell the property for not less than the minimum amount, without again asking for bids, if the property is sold on or before March 1, 1996.

Employees of the Bureau of Taxation and members of the immediate family of employees of the Bureau of Taxation are barred from acquiring from the State any of the real property subject to this resolve.

The State Tax Assessor, upon receipt of payment as specified in this resolve, shall record the deed in the appropriate registry at no additional charge to the purchaser before sending the deed to the purchaser.

Abbreviations, plan and lot references are identified in the 1994 State Valuation.

T16 R5 WELS, Aroostook County

Map AR030, Plan 03, Lot 122W 038900183

Mrs. Gertrude Woods Int. .3334 0.69 Ac.

TAX LIABILITY

1991	\$15.41
1992	15.15
1993	18.58
1994	17.26
1995 (estimated)	<u>17.26</u>
Estimated Total Taxes	\$83.66
Interest	3.52
Costs	16.00
Deed	<u>8.00</u>
Total	\$111.18

Recommendation: Sell to Gertrude Woods for \$111.18. If she does not pay this amount within 60 days after the effective date of this resolve, sell to the highest bidder for not less than \$125.00.

T16 R4 WELS, Aroostook County

Map AR020, Plan 02, Lot 34 038890059

Alan Trombley 0.45 Ac. w/Bldg.

TAX LIABILITY

1992	\$197.59
1993	245.11
1994	227.62
1995 (estimated)	<u>227.62</u>
Estimated Total Taxes	\$897.94
Interest	42.72
Costs	16.00
Deed	<u>8.00</u>
Total	\$964.66

Recommendation: Sell to Alan Trombley for \$964.66. If he does not pay this amount within 60 days of the effective date of this resolve, sell to the highest bidder for not less than \$1,000.00.

T16 R5 WELS, Aroostook County

Map AR030, Plan 03, Lot 122W 038900181

Perry Harmon (Deceased) 0.69 Acres
 1/3 interest