

MAINE STATE LEGISLATURE

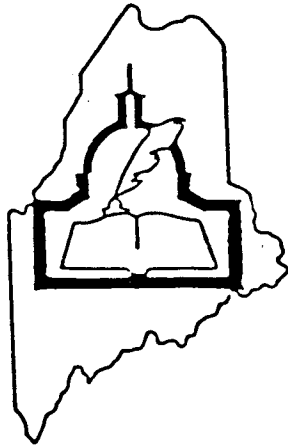
The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY & NATURAL RESOURCES
BILL SUMMARY



JULY, 1985

Prepared by:

David Elliot and William T. Glidden, Legislative Assistants
Andrea Colnes, Research Assistant
Office of Legislative Assistants
State House, Station 13 Augusta, Maine 04333
(207) 289-1670



STATE LAW LIBRARY
STATE HOUSE

HELEN T. GINDER, DIRECTOR
HAVEN WHITESIDE, ASST. DIRECTOR
GILBERT W. BREWER
DAVID ELLIOTT
MARTHA FREEMAN
CHRISTOS GIANOPOULOS
WILLIAM T. GLIDDEN, JR.

STATE OF MAINE
OFFICE OF LEGISLATIVE ASSISTANTS
ROOM 101
STATE HOUSE, STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-2486

SARAH HOOKE
JULIE S. JONES
JOHN B. KNOX
EDWARD POTTER
MARGARET J. REINSCH
LARS RYDELL
JOHN SELSER
ANDREA COLNES, RES. ASST.

ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
JULY 1985

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature, covering the First Regular Session of the 112th Legislature. The summaries are arranged by LD number and indexed separately by committee.

MAJ OTP-AM
MIN OTP-AMHOUSE Enacted MAJ
SENATE Enacted MAJ
GOV SIGNEDPUBLIC
CH # 458

H-273	CA	MAJ REP	H	S
H-274	CB	MIN REP		
H-300		JACQUES		
H-350		COLES	H	S
S-331		PEARSON	H	S

SUMMARY:

This bill was one of two introduced on acid rain in the session (also see LD 1389). LD 317, proposed by the Governor and presented by the DEP, called for a cap on the quantity of sulfur dioxide emissions and a series of related studies on the impact of acid rain. The cap was to be set at the average of the statewide emissions over the period 1979 through 1982. Administrative measures needed to implement the cap were left to DEP rulemaking. The DEP claimed that actual regulatory action under the cap would be highly unlikely since sulfur emissions in the state are expected to decline over the next ten years as the result of existing market and regulatory forces. By that time, DEP argued, a federal program would be in place.

The major issues discussed during the consideration of the acid rain bills included the extent of Maine's contribution to the acid rain problem, the actual extent of damages resulting from acid rain, the need for some state-initiated regulatory action to set the stage for comprehensive federal action and the indirect cost impacts on electric utilities.

Analysis conducted by the DEP indicated that sulfur dioxide emitted in Maine was responsible for less than 10% of the acid precipitation (wet) in Maine. Most of the acid precipitation is apparently derived from emissions in the states and provinces upwind of Maine.

The need for state-initiated action was vigorously debated with proponents arguing that action was needed as evidence of "good faith" in order to support federal efforts currently stalled by opposition from midwestern states. Proponents further argued that the proposed cap was largely a symbolic action in any event since actual emission reductions were not likely to be required. Opponents argued that state action might provide an excuse for further federal inaction. Opponents also argued that state action was inappropriate in response to what is clearly a multi-state issue since more severe regulatory action in Maine relative to other states could discourage future industrial expansions or developments.

The "cap" approach was adopted by the majority report as the basic regulatory mechanism of the bill. Due to concerns raised by utility and industrial interests at the public hearing, the majority of the Committee (CA H-273) voted to include a set of "rulemaking guidelines" to give the DEP the option to consider emission credits, exemptions for electric utilities under certain situations, and tradeoffs between several sources under the same ownership. All rules would have required legislative enactment for effect. The Committee also included an additional study element dealing with nitrogen oxides.

The minority report (CB H-274) used LD 1389 as its basis. This report called for a 20% reduction in the statewide sulfur dioxide emissions by 1990. The reduction would have been measured from the 1979 - 1982 base period. The "rulemaking guidelines" were not included in the minority report. The study provisions were essentially equivalent to those in the majority report.

The House accepted the majority report while the Senate initially accepted the minority report before switching to the majority report. Ultimately, the regulatory provisions of the majority report were removed by a floor amendment (HB to CA H-350) prior to enactment with the support of both industrial and conservation interests.

LD:	321	RESOLVE, APPROVING THE STANDARDS AND REGULATIONS ADOPTED UNDER THE CHEMICAL SUBSTANCE IDENTIFICATION LAW	USHER MICHAUD KANY GAUVREAU
OTP		HOUSE Finally Passed SENATE Finally Passed GOV SIGNED	RESOLVE CH # 16

SUMMARY:

The Chemical Substance Identification law (PL 83 c. 823) required that rules adopted by the Department of Labor to implement the law be approved by the Legislature. The approved rules dealt with classes of regulated businesses, reporting requirements and other administrative matters.