

MAINE STATE LEGISLATURE

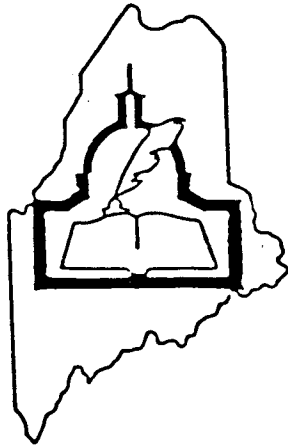
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY & NATURAL RESOURCES
BILL SUMMARY



JULY, 1985

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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.

LD: 840 AN ACT TO ESTABLISH MANDATORY ENERGY
EFFICIENCY BUILDING PERFORMANCE STANDARDS
FOR THE STATE

CONNOLLY

LU-WD HOUSE Accepted Committee Report
SENATE Accepted Committee Report
GOV

SUMMARY:

This bill would have made the state's voluntary Energy Efficiency Building Standards mandatory by requiring all nonresidential structures built or substantially renovated after January 1, 1987, to meet the Energy Efficiency Building Standards. All new and substantially renovated residential structures would have been required to meet the minimum energy performance standards by January 1, 1988.

LD: 961 AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF
THE MAINE LAND AND WATER RESOURCES COUNCIL
GROUND WATER REVIEW POLICY COMMITTEE

KANY
MICHAUD
TRAFTON
MITCHELL

OTP-AM HOUSE Enacted
SENATE Enacted
GOV SIGNED

PUBLIC
CH # 479

| | | | | |
|-------|----|---------|---|---|
| S-132 | CA | | H | S |
| H-244 | | MICHAUD | H | S |
| H-295 | HA | MICHAUD | | |
| H-367 | | MICHAUD | H | S |
| S-213 | SA | USHER | H | S |

SUMMARY:

The Governor's Land and Water Resources Council proposed a program to control the contamination of ground water from road salt storage piles. Municipal authority to enact zoning and regulatory controls to prevent contamination of aquifers was extended to include aquifer recharge areas. Existing law requires a wastewater discharge license for salt piles although this requirement has not been enforced. To facilitate practical control of the problem, the bill proposed an exemption from licensing when the design of the storage facility met standards established by the Department of Environmental Protection. A deadline for implementation of discharge controls was established (January 1, 1991) in the original bill. The bill also removed a specific reference to "salt piles" in the definition of "hazardous activities" under the Site Location Law (Title 38 §481 et seq.). Salt storage facilities are not removed from other provisions of the Site Location Law.

Substantial testimony was presented at the hearing demonstrating the need for control of the leachate from road salt piles. Several towns in the state have been the targets of successful damage suits. The principal objection to the bill was the cost to municipalities of constructing the new storage facilities. Towns were also concerned over the method of establishing enforcement priorities.

The compromise (CA S-132) worked out by the committee in cooperation with the Governor's Office, the DEP and the Maine Municipal Association proposed a state-town cost sharing mechanism. The state portion of the program was to be funded by a General Revenue Bond. The cost sharing mechanism was modeled on the existing waste water construction grants program. The DEP was also directed to establish a priority list based on the severity of the contamination problems. The deadline for final implementation was extended from 1991 to 1996.

After receiving a unanimous ought to pass recommendation from the committee, the bill was amended on the floor (H-244) to allow towns with storage projects currently underway but not yet complete to be eligible for cost sharing if the facility was completed after July 1, 1985 and if the facility meets DEP design criteria. The bill was further amended (H-295) to add a fiscal note indicating that DEP and the Department of Transportation would be able to absorb all administrative costs and that cost sharing was contingent upon passage of adequate bonding authority. This fiscal note was later replaced (S-213) to indicate the DEP would require additional funding for a project engineer. This funding was ultimately included in the Part II budget by the Appropriations Committee. The bill was further amended (H-244) to remove the 1996 implementation deadline.

Although the bill was enacted, it is important to note that the Appropriations Committee rejected the request for a General Revenue Bond to support the cost sharing mechanism arguing that this was more appropriate for a Highway Bond. As a result, although the program is in place with municipal reporting requirements, a DEP priority process, and a licensing requirement for salt storage facilities, there is no funding for the cost sharing mechanism.