

MAINE STATE LEGISLATURE

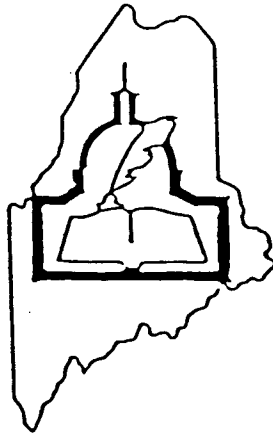
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STATE OF MAINE
ONE HUNDRED AND TWELFTH LEGISLATURE
SECOND REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY AND NATURAL RESOURCES
BILL SUMMARY



MAY 1986

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ONE HUNDRED AND TWELFTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
MAY 1986

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

All Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "CA" if it is a committee amendment. If the amendment was adopted in the House, the letter H appears after the sponsor. If it was adopted in the Senate, the letter S appears.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-AM	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO AMEND THE CLASSIFICATION OF CERTAIN ONTP
1893 MAINE RIVERS

Sponsor: DAVIS, Hoglund, Holloway, Usher
Committee Report: ONTP

SUMMARY: This bill proposed including portions of the Rapid, Kennebago and Magalloway Rivers and Cupsupstic Stream in the sections of the 1983 "Rivers Bill" that provide protection against various forms of development. See also LD 1993. The Committee gave the bill a unanimous "ought not to pass" report due to concerns that the subject was not being approached in a comprehensive manner.

LD AN ACT TO REQUIRE NOTICE TO MUNICIPAL LVWD
1900 OFFICERS OF ENVIRONMENTAL PROTECTION
VIOLATIONS AND ACTIONS WITHIN THAT COMMUNITY

Sponsor: LORD, Black, Bott
Committee Report: LVWD

SUMMARY: This bill would have required the DEP to notify the municipal officers of any alleged violation of environmental laws or department enforcement action which affects real property in the municipality. The Committee recognizes that a long-standing communication problem exists between the DEP and municipal officials. A dialogue has been begun between DEP and Maine Municipal Association to provide the type of communication which this bill would have required. At present, that approach seems more effective to the Committee. Therefore, leave to withdraw was granted.

LD AN ACT TO REVISE THE ENERGY BUILDING DIED
1954 STANDARDS ACT BETWEEN
HOUSES

Sponsor: MITCHELL, Usher, Coles, Michaud
Committee Report: ONTP, OTP-AM

H-598 CA

SUMMARY: This bill would have made the current voluntary energy performance building standards mandatory for buildings constructed or substantially renovated after January 1, 1985. The bill would also have provided a mechanism for obtaining a waiver from the new mandatory standards. Finally, the bill would have established 2 higher levels of voluntary energy performance building standards and a process for issuance of a voluntary certificate of energy efficiency.

CA-H-598: The Committee Amendment (minority report) reduces the scope of the original bill by exempting from the minimum standards owner-built homes and buildings whose construction or renovation is valued at less than \$10,000 and applying the more stringent voluntary standards only to residential buildings. The amendment also reduces the penalty for violation of either the mandatory minimum standards or the voluntary standards.

COMMITTEE OF CONFERENCE: A Committee of Conference was appointed, but satisfactory language could not be agreed on. The bill died in nonconcurrence between the House and the Senate.

LD 1967 AN ACT CONCERNING THE PROTECTION OF THE
NATURAL RESOURCES ON THE LOWER PENOBSCOT
RIVER

LWWD

Sponsor: RUHLIN, Martin, J., Pray, Perkins
Committee Report: LWWD

H-608 CA

SUMMARY: This bill sought to block the use of the Bangor Dam on the Penobscot River by any nonmunicipal entity. The bill also proposed a definition of the term, "dam" solely for the use of this section of law. The Committee majority gave the bill an "ought not to pass" report reasoning that existing law gave sufficient protection to this particular stretch of river and that an applicant for a hydro project on this stretch of river had proceeded in good faith under the terms of the existing law. The Committee minority felt that previous legislative intent (See PL 1981, c.674) precluded consideration by the BEP of the hydro proposal prior to specific authorization by the Legislature. The minority report included an amendment (CAH-608) which removed the definition of the term, "dam" and added language to indicate that the bill was not intended to affect any application currently before the BEP. The House initially moved to adopt the minority report but reversed itself to recommit the bill to Committee. The Senate concurred. The Committee subsequently granted the sponsor a leave to withdraw.