

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
ENERGY AND NATURAL RESOURCES
BILL SUMMARY



JUNE 1987

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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

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. The summaries are arranged by LD number under each committee.

All Adopted 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 "COMMITTEE" if it is a committee amendment.

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

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

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-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD AN ACT TO ESTABLISH FIELD OFFICES OF THE MAINE PL 1987
1676 LAND USE REGULATION COMMISSION. c. 508

Sponsor: GOULD RA, Pray, Martin J
Committee Report: New Draft of LD 822
Amendments Adopted:
S-102 USHER
S-257 PEARSON

SUMMARY: The original bill required the establishment of field offices for the Land Use Regulation Commission. The new draft reduced the number of field offices required and the amount of time the offices had to be open.

The Senate amendment (S-102) reduced the Fiscal Year '87 appropriation to \$38,875.

The Appropriations amendment (S-257) deleted all appropriations reflecting their inclusion in the Part II Budget.

LD AN ACT TO REQUIRE TESTING OF DIOXIN LEVELS AT LVWD
1679 THE MAINE ENERGY RECOVERY CORPORATION. EMERGENCY

Sponsor: DUREMBLE D, Murphy T, McSweeney, Nadeau GR
Committee Report: LVWD

SUMMARY: The bill required any new or existing facility burning solid waste to undergo testing for dioxin. The Department of Environmental Protection had required such testing for all but one of the large waste-to-energy facilities licensed in the state. When the department and the owners of the MERC facility in Biddeford agreed to undertake dioxin testing, the committee voted leave to withdraw.

LD AN ACT TO ENSURE SOUND FOREST MANAGEMENT OF PL 1987
1680 BIOMASS FUEL WOOD HARVESTING OPERATIONS. c. 286

Sponsor: RIDLEY, Jacques, Dexter, Usher
Committee Report: New Draft of LD 1062

SUMMARY: The original bill required all wood fuel for biomass energy facilities to be harvested according to harvest and regeneration plans prepared by registered professional foresters. The committee new draft is designed to achieve the same purposes with a slightly different approach. The new draft maintains the basic requirements described above through a certification

procedure. The primary responsibility lies with the harvestors of "biomass fuel" for assuring proper certification. Specific exemptions are provided small operations, harvesting on tree farms, harvesting outside the state, harvesting on lands whose primary use is being changed from commercial forestry to something else. The purchaser is authorized to require the harvestor to produce evidence of certification but is not directly responsible for the quality of the harvest operations.

LD AN ACT TO CLARIFY THE SITE LOCATION LAW.
1681

PL 1987
c. 287

Sponsor: JACQUES, Tammaro, Michaud
Committee Report: New Draft of LD 232

SUMMARY: The original bill amended the Site Location Act to allow the gradual expansion of facilities without review by the Department of Environmental Protection. The definition of the term "structure" was amended to include a five year time period. In addition, 10% annual expansions of any facility would be allowed without review. The new draft eliminates the redefinition of the term, "structure". The new draft narrows the allowance for unreviewed expansions to new construction which is less than 30,000 sq. ft. per year and which does not fall under the statutory definition of "development which substantially affects the environment".

LD AN ACT TO AMEND THE LAWS ADMINISTERED BY THE
1709 DEPARTMENT OF ENVIRONMENTAL PROTECTION

FAILED
BETWEEN
HOUSES
EMERGENCY

Sponsor: MURPHY E, Cahill, Ridley, Anderson
Committee Report: OTP-A
Amendments Adopted:
H-311 COMMITTEE
H-328 MICHAUD
S-182 USHER (Senate)

SUMMARY:The original bill was very similar to LD 864. Both bills were omnibus packages affecting the Department of Environmental Protection. Sections 8 through 26 of LD 1709 were dealt with in the previous legislation and are not discussed further here. All of these sections were deleted by the committee's amendment.

The first section of LD 1709 was replaced to add air quality laws to the category of laws that can employ the "Rule 80-K" enforcement procedures within the jurisdiction of District Courts. This provision was amended to make its format consistent with the previously amended version of this statute (see LD 864).