

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION**



**BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES**

**JULY 1989**

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Sen. Edgar E. Erwin  
Sen. Margaret G. Ludwig

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\* Denotes Chair

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ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

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 for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

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

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
MITCHELL	OTP-AM      MAJ	H-603      MAJ REP
JACQUES	OTP-AM      MIN	
MARSH		
COLES		

SUMMARY

The original bill proposed to extend the protection of freshwater wetlands under the Natural Resources Protection Act from wetlands of 10 or more acres to all wetlands of one or more acres.

The majority report (H-603), which was enacted, requires all applicants for local subdivision approval to identify all wetlands within a project area as part of the application.

The minority report (H-604) would have regulated activities in wetlands that are below 10 acres in size with certain exemptions from the natural resources protection laws. These exemptions would have been:

1. Normal maintenance and repair;
2. Above-ground placement of utility cables;
3. Limited placement of fill for up to 200 linear feet of a road crossing; and
4. Placement of less than 1 acre of fill with prior notification of the Department of Environmental Protection. The Department of Environmental Protection would have retained the option of in-depth review if the commissioner, within 20 days, found a likelihood of violation of natural resources protection laws.

**LD 212      An Act to Establish a Seabrook Station Nuclear Emergency  
Planning Fund****ONTP**

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
WEYMOUTH	ONTP	
DUTREMBLE D		
HALE		
LORD		

SUMMARY

This bill proposed to assess the Seabrook Station nuclear facility for costs to the State associated with emergency planning for radiological emergencies related to the Seabrook Station. The assessment method was unconstitutional in that it would have taxed an out-of-state entity that does not directly import power into the state. The committee voted not to pass the bill and the changes proposed for this bill were incorporated into LD 496 through Senate amendment E (S-201).