

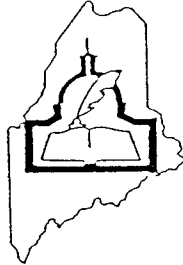
MAINE STATE LEGISLATURE

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STATE OF MAINE
114TH LEGISLATURE
SECOND REGULAR SESSION



BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JUNE 1990

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**One Hundred and Fourteenth Legislature
Second Regular Session**

**Joint Standing Committee
Bill Summaries**

June 1990

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. Committee Reports and Floor Action are abbreviated as follows:

OTP
OTP-ND
OTP-ND-NT
OTP-A
ONTP
LVWD
INDEF PP

Ought to Pass
Ought to Pass in New Draft
Ought to Pass in New Draft, New Title
Ought to Pass as Amended
Ought Not to Pass
Leave to Withdraw
Indefinitely Postponed

Each individual summary was prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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.

SPONSOR(S)

TITCOMB
SIMPSON
LORD
GREENLAW

COMMITTEE REPORT

LV/WD

AMENDMENTS ADOPTED**SUMMARY**

This resolve would have required the Commissioner of Environmental Protection, in conjunction with the Commissioner of Inland Fisheries and Wildlife, to establish a maximum water elevation for Sebago Lake to fluctuate in accordance with the annual pattern established over the 40-year period between the years 1939 to 1978.

LD 2214 An Act to Clarify the Role of the Board of Environmental Protection (Reported Pursuant to a Study Authorized by the Legislative Council)

PUBLIC 890

SPONSOR(S)**COMMITTEE REPORT**

OTP-AM

AMENDMENTS ADOPTED

H-1040 MICHAUD
H-950
S-716 PEARSON

SUMMARY

This bill incorporates the recommendations of the 1989 Subcommittee to Evaluate the Board of Environmental Protection, convened by the Legislative Council. It provides staff for the Board of Environmental Protection to develop an independent decision-making capacity.

In addition, the bill clearly delineates the functions of the board and Commissioner of Environmental Protection. This bill makes the commissioner responsible for all administrative matters, enforcement matters and routine licensing. The board hears appeals of the commissioner's decisions, decides precedent-setting applications and has final authority over the settlement of enforcement actions. Finally, a variety of smaller changes recommended by the subcommittee are incorporated.

Part A of the committee amendment (H-950) amends the original bill in several ways.

1. The purpose statement is redefined.
2. A requirement for the board to accept public comment on proposed rule revisions is removed.
3. Requirements for specific processing times are removed and replaced with language directing the department to make license and permit decisions as expeditiously as possible.
4. The reconsideration section is amended to incorporate standards for the addition of new information to the record.
5. A requirement for a department-wide data base is delayed.
6. A comment period on rules submitted to the board by the commissioner is removed.
7. Coordination and assistance procedures for the commissioner are amended.
8. A requirement that all department decisions be sent by certified mail is changed to require that only denials be sent certified.