

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.

of these heavy metals to 600 parts per million by April 1, 1992; 250 parts per million by April 1, 1993; and 100 parts per million by April 1, 1994. The bill also prohibits the intentional introduction of heavy metals in packaging and packaging components. An exemption process is provided for packaging made from recycled materials and for packaging with excessive heavy metal content that is essential to the protection, safe handling or function of the package's contents.

Certificates of compliance for packages and packaging components will be filed by manufacturers with the Maine Waste Management Agency. The agency will provide public access to packaging information by providing copies of the certificates of compliance. The agency will review the law to determine its effectiveness and submit a report to the Governor and the Legislature in 1993. The Department of Agriculture, Food and Rural Resources will enforce the provisions of the law.

LD 2388 **An Act to Amend the State's Hazardous Materials and
Underground Tank Installer Laws**

**PUBLIC 845
EMERGENCY**

SPONSOR(S)

DEXTER
MICHAUD

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-1026 MICHAUD
H-961

SUMMARY

The Department of Environmental Protection administers a license and fee program for over-the-road and over-the-rail transportation of hazardous materials. In the past one and one half years, confusion has resulted from using 2 separate lists of materials as the basis for the collection of fees. This bill changes the list used for fee collection to the hazardous materials list of the federal Department of Transportation. This bill also replaces the current system of vehicle-specific licensing with a fleet licensing process.

The bill also alleviates technical problems created by the enactment of Public Law 1989, chapter 312, which made the Class 1 underground storage tank installer class too restrictive. In addition, this bill increases the enforcement authority of the Board of Underground Storage Tank Installers to temporarily suspend installers' certificates if warranted.

The committee amendment (H-961) reduces the annual and trip permit fees for hazardous material transport licenses and clarifies apportionment provisions for fees and enforcement provisions.

The amendment prohibits Class 1 underground oil storage tank installers from installing impressed-current cathodically protected tanks. The amendment also limits the type of tank an underground gasoline storage tank remover may remove as part of the certification process and removes sections in the original bill dealing with biomedical waste. (See LD 2354) A fiscal note is added to the bill.

This bill was further amended in the House (H-1026) to clarify that the jurisdiction of the Board of Underground Storage Tank Installers, that is concurrent with the Administrative Court, includes license revocation.