

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1992

MEMBERS:

**Sen. Bonnie L. Titcomb
Sen. John E. Baldacci
Sen. Margaret G. Ludwig*

**Rep. Paul F. Jacques
Rep. James Mitchell
Rep. James Reed Coles
Rep. Annette M. Hogle
Rep. Richard A. Gould
Rep. P. Kelley Simpson
Rep. Basil L. Powers
Rep. Willis A. Lord
Rep. Malachi Anderson
Rep. John F. Marsh*

**Denotes Chair*

Staff:

*Tim Glidden, Principal Analyst
Patrick Norton, Legislative Analyst
Gro Flatebo, Legislative Analyst*

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

IARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
YAN M. DYTTER
BRO FLATEBO
EBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1992

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action on each bill is listed to the far right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	Chapter # of enacted Public Law
P&S XXX	Chapter # of enacted Private & Special Law
RESOLVE XXX	Chapter # of enacted Resolve
CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
EMERGENCY	Enacted law takes effect sooner than 90 days
CARRIED OVER	Bill carried over to Special Session
ONTP	Ought Not to Pass report accepted
LVWD	Leave to Withdraw report accepted
INDEF PP	Bill Indefinitely Postponed
FAILED EMERGENCY ENACTMENT	Emergency bill failed to get 2/3 vote
DIED BETWEEN BODIES	House and Senate disagree; bill died
CONF CMTE UNABLE TO AGREE	Committee of Conference formed but unable to agree
VETO SUSTAINED	Legislature filed to override Governor's Veto
UNSIGNED	Not signed by Governor within 10 days
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died

These summaries were 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, especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

LD 1289

**An Act to Promote Comprehensive and Consistent Statewide
Environmental Policy and Regulation**

PUBLIC 863

SPONSOR(S)

GOULD R A
TARDY

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-900
S-763 BRANNIGAN

SUMMARY

This bill would have prohibited municipalities from adopting or enforcing ordinances that address forest practices or pesticide control in the State and would have repealed provisions allowing various forms of municipal ordinances to regulate activities already regulated by the State. The bill specified that state law preempts municipal ordinances unless municipalities are expressly granted the power to regulate.

Committee amendment "A" (H-900) replaced the entire bill. The amendment requires a review of the proposed timber harvesting ordinance by a licensed professional forester prior to its adoption. Review by a forester would be in addition to the existing requirement that municipalities develop timber harvesting ordinances in consultation with the Department of Conservation.

Senate amendment "A" (S-769) clarified that the provisions of the bill do not impose a mandate on municipal or county governments.

LD 1372

**An Act to Improve the Efficiency and Effectiveness of the
State's Natural Resources Protection Programs**

PUBLIC 804

SPONSOR(S)

GWADOSKY
CAHILL P
PRAY
WHITCOMB

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-1190

SUMMARY

The bill would have established an Environmental Appeals Board in the Department of Environmental Protection and modified the role of the existing Board of Environmental Protection. The bill would also have expanded the duties of the Commissioner of Environmental Protection and changed procedures for rulemaking and application processing.

Committee amendment "A" (H-1190), which was divided into 4 parts, replaced the entire bill.

Part A of the committee amendment requires that the Board of Environmental Protection respond to comments received during rulemaking regarding how the proposed rule compares to federal minimum standards. Part A also requires the Commissioner of Environmental Protection to submit a study on environmental priorities, contingent upon available funding, and to review the performance of the permit by rule program of the Department of Environmental Protection.

Part B establishes a procedure that requires the Commissioner of Environmental Protection to publish timetables for new permit and license applications. Provisions are included for stopping the processing period on any given permit or license application and for extending the deadline for deciding upon an application. If the commissioner does not accept or reject an application within the applicable timetable, the applicant is entitled to reimbursement of 50% of the permit or license processing fee. The applicant is entitled to reimbursement of the remainder of the processing fee if a decision is not made within 120 calendar days after the deadline.