

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

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, and 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 1304 An Act to Create an Exemption for Pleasant Pond Dam ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BENNETT TWITCHELL LUTHER	ONTP	

SUMMARY

This bill would have exempted Pleasant Pond Dam in West Sumner from the annual \$20 dam registration fee.

LD 1306 An Act to Reduce Littering DIED BETWEEN BODIES

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KILKELLY LARRIVEE HOLLOWAY DAGGETT	OTP-AM	

SUMMARY

This bill would have made the release of more than 10 helium filled balloons a civil violation subject to a forfeiture of not more than \$200 nor less than \$25 for each violation. Committee Amendment "A" (H-255) reduced the number of balloons permitted to be released to 1 and proposed to exempt the release of balloons used for scientific experimentation or that are used for meteorological observations. House Amendment "A" (H-479) to Committee Amendment "A" proposed to increase the number of balloons permitted to be released to 20 or more.

LD 1311 Resolve, Authorizing the Sale of Certain Public Lands RESOLVE 12

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
WENTWORTH TITCOMB LORD	OTP-AM	H-328

SUMMARY

This resolve authorizes the Director of the Bureau of Public Lands to consummate the sale of certain public lands to Rebecca S. Brown.

The committee amendment (H-328) changes the resolve to increase the sale price of the property in question to \$1,500 and removes the requirement for the land to be surveyed. The amendment also defines the term "Grantee" and requires any changes in this agreement to be approved by the Legislature. The amendment also adds a fiscal note.

LD 1321 An Act to Safeguard Production of Ground Water PUBLIC 455

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD BALDACCI COLES	OTP-AM	H-542

SUMMARY

This bill establishes the Maine Water Well Drilling Program within the Department of Environmental

Protection. The program is administered by the Maine Water Well Drilling Commission. The 7-member commission includes both public and private members and is charged with adopting a professional code of performance for well drillers, well drilling contractors and pump installers to provide the public with the highest quality ground water by ensuring that ground water wells are drilled, constructed, altered or abandoned in a manner that will protect subsurface aquifers from contamination. Under this bill, well drillers, well drilling contractors and pump installers must register with the commission and must provide services in a manner consistent with the code of performance adopted by the commission.

Committee amendment "A" (H-542) removes the provision in the bill that established the Maine Water Well Drilling Program in the Department of Environmental Protection and relocates the program in the Division of Health Engineering in the Department of Human Services. The amendment also clarifies that persons drilling wells on their own property are exempt from the registration requirements and strikes the provision in the bill that exempted wells drilled by public utilities. The amendment also reduces the work experience requirements for master and journeyman drillers, strikes provisions establishing registration fees and adds new language permitting the Maine Water Well Drilling Commission to set the registration fees. The amendment also makes several technical changes to the bill, including specifying that one member of the commission must be a member of the Test Borer's Association and "grandfathering" well drillers and pump installers who meet the qualifications for registration on the effective date of this Act.

LD 1336 An Act to Expand Public Representation on the Board of Environmental Protection LV/WD

SPONSOR(S) CONLEY HOGLUND	COMMITTEE REPORT LV/WD	AMENDMENTS ADOPTED
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SUMMARY

This bill would have increased the membership of the Board of Environmental Protection from 10 to 13 members, with the 3 additional members to be appointed from among 6 nominated for that position by the Executive Board of the Maine American Federation of Labor and Congress of Industrial Organizations.

LD 1357 An Act to Amend the Laws Pertaining to Asbestos Removal PUBLIC 473

SPONSOR(S) LARRIVEE COLES SIMPSON	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED H-579 S-323 TITCOMB
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SUMMARY

This bill amends the current laws regulating the licensing, certification and scope of work for asbestos abatement activities. The evaluation specialist category is replaced with asbestos inspector and air monitor categories. Notification to the department is required for any project over 3 linear or 3 square feet. Permit fees would have been increased to \$200 for all projects greater than 160 square or 260 linear feet and single-unit residential facilities are exempted. Subtrades involved in asbestos abatement activities are required to conform to present law. Demolition as an asbestos abatement activity would have been defined. Reporting of abatement activities is required and the department is authorized to create, by rule, air clearance criteria.

The Committee amendment (H-579) replaces the bill. It removes all the provisions that transfer duties from the commissioner to the department. The amendment also defines several new categories of asbestos abatement entities and workers. The term "friable" is redefined to include nonfriable materials that