

MAINE STATE LEGISLATURE

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STATE OF MAINE
115TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1992

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**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.

amendment also amends the disability variance provisions of the Maine Revised Statutes, Title 30-A, section 4353 to clarify that the definition of a structure providing a disabled person with access to or egress from a dwelling includes railing, wall or roof systems necessary for the safety or effectiveness of the structure.

LD 2016 An Act Concerning Continuous Emission Monitoring Devices LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
VOSE ANDERSON	LV/WD	

SUMMARY

This bill would have provided that continuous emission monitoring devices are considered in use during periods of nonoperation provided that calibration audit and preventive maintenance services are being conducted in accordance with a quality assurance plan submitted to the department.

This bill also proposed that nonoperation of a continuous emission monitoring device due to equipment malfunction would not subject a person to penalties if the period of nonoperation does not exceed 10% of source operating time. Under the bill, periods of noncompliance due to unavoidable malfunctions in excess of 10% of source operating time would be exempt from penalty at the discretion of the department.

This bill also would have required the Department of Environmental Protection to respond to licensees who have submitted requests for exemptions from penalty due to equipment malfunctions.

LD 2021 An Act to Clarify the Water Quality Definitions for Impoundments ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK H GOULD R A ANDERSON LUDWIG	ONTP	

SUMMARY

State water quality law defines the level of permissible impact on water quality, in part, through the use of narrative descriptions of habitat and aquatic life typical of each class of water. By amending certain key definitions, this bill would have precluded the application of these narrative standards to "impoundments", including hydropower impoundments, with water quality classifications of GPA, A or B. See also LD 2159.

LD 2039 An Act to Clarify the Status of Wood Yard Debris PUBLIC 643

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
JACQUES	OTP-AM	H-891

SUMMARY

This bill would have excluded unprocessed bark and dirt from wood processing mill yards from the definition of solid waste.

Committee amendment "A" (H-891) replaced the entire bill. The amendment exempts soil that contains incidental bark or woody material generated during the transport, handling or storage of logs prior to

processing from regulation as solid waste. The term "processing" is defined to specifically include the debarking, chipping and sawing of wood.

**LD 2047 An Act to Clarify the Extension of the Municipal Landfill
Closure Deadline and to Extend the Rule-making Deadline for
Labeling of Recycled and Reused Products**

**PUBLIC 644
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD MILLS	OTP-AM	H-890

SUMMARY

This bill would have delayed, for 18 months, the effect of rules adopted by the Board of Environmental Protection that required the closure of certain landfills.

Committee amendment "A" (H-890) replaced the entire bill and changed the title of the bill. The amendment clarifies the applicability of the 12-month extension of municipal solid waste landfill closure deadlines enacted in Public Law 1991, chapter 622, by specifying that the extension applies to licensed and unlicensed landfills operating on December 31, 1991. The amendment also gives the Maine Waste Management Agency an additional 12 months to adopt rules establishing a waste reduction and recycling labeling program and requires that the agency report to the joint standing committee of the legislature having jurisdiction over energy and natural resources matters on its rule-making activities by January 1, 1993.

**LD 2060 An Act to Establish Ambient Air Quality Standards for
Toluene and Perchloroethylene**

PUBLIC 646

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARSH ANDERSON RICHARDS TITCOMB	OTP-AM	H-882

SUMMARY

This bill established standards for toluene and perchloroethylene emissions, hazardous air pollutants that pose potential risk to public health. The ambient air quality standards are based on comprehensive risk assessments completed by the Department of Human Services, Bureau of Health and endorsed by the Scientific Advisory Panel.

A committee amendment (H-882) clarified language in the original bill and added a fiscal note.

**LD 2067 An Act to Simplify and Reduce the Cost of State Mapping
Efforts**

PUBLIC 693

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SIMONDS MARSH TITCOMB	OTP-AM	H-955

SUMMARY

This bill allows sensitive wildlife areas mapped for the purposes of the State's oil spill clean-up program to be considered mapped for the purposes of the natural resources protection laws.