

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.

A committee amendment (H-955) amends the original bill to clarify that it is the data rather than the actual sensitive area maps that can be used in the process of mapping significant wildlife habitat. The amendment also adds a fiscal note to the bill.

LD 2071 An Act to Amend the Laws Regarding Licensing of Gravel Pits PUBLIC 761

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD ANDERSON GOULD R A JACQUES	OTP-AM	H-1115

SUMMARY

This bill would have required that a permit for borrow pit mining activity be issued for the duration of the commercial mining operation.

Committee amendment "A" (H-1115) replaced the entire bill. The amendment adds sand, fill and gravel pit mining operations that are 5 or more acres in size to the list of projects that may be reviewed by a municipality authorized to substitute its permits for permits of the Department of Environmental Protection under the provisions of the Maine Revised Statutes, Title 38, section 489-A.

LD 2072 An Act to Amend the Fire Permit Laws ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD	ONTP	

SUMMARY

This bill would have allowed a fire permit to remain valid for more than one day in cases of inclement weather and would have allowed a person to make a fire on snow-covered ground without a permit.

LD 2075 An Act to Protect Ground Water Supplies Near Automobile Dismantling, Salvage and Recycling Operations PUBLIC 745

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TRACY GOULD R A JACQUES	OTP-AM	H-1049 JACQUES H-972

SUMMARY

The original bill would have prohibited the dismantling of automobiles or other products that contain hazardous materials within 200 feet of a public or private water supply.

The committee amendment (H-972) strikes the original bill and replaces it with provisions restricting the location of automobile dismantling, recycling or salvage operations. The amendment prohibits granting a permit for automobile dismantling, recycling or salvage operations that are within 100 feet of a well that is used as a private or public water supply under municipal law and state law. The well serving the facility to be permitted and the owner or operator's abutting residence does not trigger this prohibition.

Existing annual municipal permits are grandfathered until those permits expire. This bill also makes explicit that any requirements for municipalities pursuant to this bill are not state mandates and do not require state funding.

A house amendment (H-1049) clarifies that this bill is only intended to apply to automobile dismantling, recycling and salvage operations that are within 100 feet of a well covered by this bill.

LD 2080 An Act to Promote the Beneficial Use of Industrial Residuals LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ANDERSON BALDACCI LORD GOULD R A	LV/WD	

SUMMARY

This bill would have exempted the land application of certain industrial residuals, with the exception of pulp and paper mill wastewater treatment plant sludges, from the Department of Environmental Protection permit requirements.

LD 2086 An Act Exempting Zoning Changes Related to the ONTP
Implementation of an Approved Growth Management Plan and
Shoreland Zoning from Certain Notice Requirements

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LARRIVEE DORE	ONTP	

SUMMARY

This bill would have exempted municipalities that undertake zoning and rezoning of land to implement an approved growth management plan from certain public notice and public hearing provisions.

LD 2097 An Act to Implement a Toxic Control Strategy for Maine ONTP
Waters

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARSH MICHAUD	ONTP	

SUMMARY

This bill would have established at the Department of Environmental Protection a one-year monitoring program for waterborne toxic materials. The bill would have defined a class of toxic materials subject to monitoring and provided for a sampling regime. Funding for the monitoring effort would have been derived from fees levied against the facilities discharging water pollutants into the monitored waters. The Department of Environmental Protection would have reported on the results of the monitoring effort to the Legislature in 1993. See also LD 2237.

LD 2114 An Act to Amend Certain Laws Pertaining to the Department of PUBLIC 817
Environmental Protection's Bureau of Hazardous Materials and EMERGENCY
Solid Waste Control

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD LUDWIG	OTP-AM	H-1191