

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. Hoglund
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.

underground oil storage facilities for farm or home use are not required to undergo site assessment upon removal.

The amendment also allows underground oil storage tank facility owners or operators to recheck their monitoring data, gauging and monitoring equipment as well as inconclusive precision tests done as part of routine monitoring. Section 4 delays the requirement for existing underground oil storage tanks to be retrofitted with overfill and spill prevention equipment. The delay makes state law consistent with federal requirements.

This amendment enacts in statute a provision in the Department of Environmental Protection's rules that exempts an owner or operator from reporting an aboveground spill of less than 10 gallons under certain circumstances.

Under current law, an underground oil storage tank that has been out of service for more than 12 months can not be brought back into service and must be removed without regard to how well-constructed or new it is. This amendment allows underground oil storage tanks that meet certain criteria to be brought back into service.

This amendment requires the Commissioner of Environmental Protection to reimburse immediately an underground oil storage facility owner or operator for the cost of the tank removal if that person was required to remove an underground oil storage tank and the facility was not the source of the leak. Those owners are eligible for loss of income and other damages through the 3rd-party damage claim process.

The amendment requires the Commissioner of Environmental Protection to develop standards for the cleanup and remediation of oil contaminated soil and ground water under various scenarios and report to the legislature on the implementation of those standards.

The amendment also adds a fiscal note to the bill.

LD 2149 **An Act to Repeal a Provision Concerning Low Sulfur Fuel** PUBLIC 663

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LUDWIG ANDERSON GOULD R A	OTP-AM	S-544

SUMMARY

This bill proposed to repeal a section of law governing sulfur content of fuel that also exists in the form of a Department of Environmental Protection rule.

The committee amendment (S-544) retains the current standards for low sulfur fuel in law and repeals certain operational requirements. These requirements are addressed in rules of the Department of Environmental Protection.

LD 2157 **An Act to Improve the Efficiency and Effectiveness of the State's Natural Resources Protection Programs** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL J	ONTP	

SUMMARY

This bill would have established a Council on Environmental Quality and required that council to submit a biennial state of the environment report to the Governor and the Joint Standing Committee on Energy and