

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.

LD 2301 An Act Concerning Septage

**PUBLIC 732
EMERGENCY**

SPONSOR(S)
TRACY
KANY

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-1051

SUMMARY

The intent of this bill was to give municipalities greater control over the amount of septage to be spread in the municipality and to have control over potential pollution.

Committee amendment "A" (H-1051) replaces the entire bill. This amendment authorizes municipalities to enforce the terms and conditions of septage land disposal or storage site permits issued by the Department of Environmental Protection. Nothing in this amendment requires municipal enforcement of septage land disposal or storage site permits issued by the Department of Environmental Protection and nothing prohibits the department from enforcing the terms and conditions of those permits.

LD 2308 An Act to Establish the Motor Vehicle Emission Inspection Program

PUBLIC 818

SPONSOR(S)
MARSH
ADAMS

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED
H-1154 MAJ REP
H-1249 MITCHELL J

SUMMARY

The federal Clean Air Act Amendments of 1990, Public Law 101-549, require enhanced motor vehicle emissions inspection programs in all metropolitan statistical areas that have a population of 100,000 or more and are located in an ozone transport region. In addition, Maine must achieve a 15% reduction in volatile organic compounds in all moderate ozone nonattainment areas. This bill establishes the Motor Vehicle Emission Inspection Program to be administered by the Department of Environmental Protection but operated by a department-selected contractor. The fees charged for the emissions tests will be placed in a dedicated revenue account and be used to support the cost of the program.

The committee amendment (H-1154) replaces the original bill and makes technical changes to the bill. In addition, the terms "convenient public access" and "low-emission adjustment" are defined.

The amendment requires a biennial inspection of vehicles and allows the Board of Environmental Protection to develop a system to stagger those inspections. The implementation of the Motor Vehicle Emission Inspection Program is delayed by 6 months because of delays in federal rulemaking that affect this program.

The size of vehicles subject to testing is increased to 10,000 pounds. New cars are exempt from testing for approximately 2 years. The Board of Environmental Protection is given authority to develop a monetary limit on repairs required under the Motor Vehicle Emission Inspection Program although these rules must be consistent with federal requirements. The board must also develop performance standards to be used in the contracting process to decide the number, location and size of testing sites.

The amendment allows car dealerships to obtain a fleet emission inspection license to inspect their vehicles. The amendment limits fleet emission inspection stations to issue only certificates of compliance. The cost of a fleet emission inspection license is limited to cover only the cost of administering these licenses by the Department of Environmental Protection.

The section imposing penalties has been rewritten to make it more consistent with state law. The cost that a public emission inspection station can charge for an inspection is limited to \$30. The amendment strikes the provision for depositing penalty fees into the Motor Vehicle Emission Inspection Fund and directs these funds to the General Fund. The committee amendment also adds a fiscal note to the bill.

A house amendment (H-1249) directs the Board of Environmental Protection to establish an exemption from the inspection fee. The amendment also directs the Commissioner of Environmental Protection to submit to the Joint Standing Committee on Energy and Natural Resources a proposal to establish a waiver for vehicles driven less than 10,000 miles during the inspection period.

LD 2309 An Act to Encourage the Wise Use and Management of Maine's ONTP
Water Resources

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MORRISON AIKMAN CLEVELAND	ONTP	

SUMMARY

This bill would have established a policy to manage surface water and ground water, reflecting the nature of surface and ground water resources as interrelated components of the hydrologic cycle. This bill would have created a new, permanent Water Resources Management Board and established its duties and responsibilities to provide a state governmental structure and procedures for the planning and management of water resources. This bill also would have created a Water Resources Management Fund based on fees from large water users to be used to carry out the board's duties.

LD 2311 An Act to Amend Various Provisions of the Laws Governing PUBLIC 794
Solid Waste Disposal Facilities EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DUTREMBLE D RICHARDS ESTY TITCOMB	OTP-AM	S-642

SUMMARY

The original bill required the Facility Siting Board to amend the criteria for determining where solid waste disposal facilities should be located and stipulates how they should be amended, amended the siting criteria by removing the provision that states a preference for siting in proximity to a generation facility and by establishing a preference for siting agency-owned special waste disposal facilities in sparsely populated areas, expanded the eligibility for property value offset payments to owners of land located within 2 miles of the boundary of a site, and removed the statutory deadlines for the site selection process and for agency development of disposal facilities.

Committee amendment "A" (S-642) changes the waste disposal facility siting criteria by removing the provision that requires a disposal facility to be located proximal to the source or sources generating the waste. The amendment also adds public drinking water protection standards to the list of standards that the Facility Siting Board must consider when siting a solid waste disposal facility and repeals the requirement that the board complete the site selection process by March 1, 1992. A provision is added to the site screening procedures of the Facility Siting Board that requires the board to make a finding that any site submitted to the Department of Environmental Protection for review conforms to the Facility Siting Board's siting standards, including ground water protection standards, geological standards and standards to protect public drinking water supplies.