

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

If you have any suggestions or comments on these summaries, please let us know.

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certification applications that are refiled after being withdrawn at the request of the Commissioner of Environmental Protection or after being denied by the commissioner in order to avoid waiving the State's certification authority.

Senate amendment "A" (S-230) replaces the fiscal note on the Committee amendment.

LD 1387 An Act to Regulate the Impacts of Metallic Mining on Groundwater ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
ROTONDI ONTP

SUMMARY

This bill would have required case-by-case establishment of groundwater impact and effluent limits for each mining proposal on a site-specific basis. The bill would have required that all drinking water standards be met for all existing public and private drinking water systems. This bill would have required the use of best practicable treatment prior to any discharge to ground water. The bill would have superseded ground water impact standards recently adopted by the Land Use Regulation Commission and Board of Environmental Protection in the new comprehensive mining rules.

LD 1391 An Act to Regulate the Aboveground Storage of Oil and the Transportation of Oil in Inland Areas INDEF PP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
JACQUES
LAWRENCE

SUMMARY

The bill would have required the registration of aboveground oil storage facilities, authorized the Board of Environmental Protection to adopt rules establishing installation standards for new and replacement aboveground oil storage facilities, established a compliance schedule for upgrading or removing nonconforming tanks, established a 3rd-party damage claims process and divided the Maine Coastal and Inland Surface Oil Clean-up Fund into 2 funds: the Maine Coastal Surface Oil Clean-up Fund and the Maine Inland Surface Oil Clean-up Fund. The bill would have also given the Department of Environmental Protection authority to conduct remediation activities including replacing water supplies and ordering parties responsible for oil discharges to conduct cleanups.

LD 1431 An Act to Improve Markets for Chlorine-free Paper Products ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
YOUNG OTP-AM MAJ
LEMKE ONTP MIN

SUMMARY

This bill would have established a hierarchy for state purchases of paper products that gave preference to totally chlorine-free and recycled paper products. It also would have allowed a 10% price differential in awarding contracts for products that are totally chlorine-free.

The majority committee amendment (H-503) would have deferred the effective date of the preference for state purchases of chlorine-free paper until July 1, 1998 in order to allow time for the conversion of pulp and paper-making processes and to coordinate with ongoing changes in federal regulatory requirements. The amendment made a number of minor changes to the definitions and a grammatical correction. The amendment also provided a clearer hierarchy of purchase preferences.

LD 1439 An Act to Amend Certain Laws Administered by the Department of Environmental Protection Governing Fees, Reconsiderations and Outside Permit Reviews

**PUBLIC 356
EMERGENCY**

SPONSOR(S)
DEXTER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-536

SUMMARY

The bill repeals the statutory provision that repeals the Department of Environmental Protection's authority to enter into agreements with outside review agencies to review applications or portions of applications submitted to the department. Current law repeals this authorization on July 1, 1993.

The bill would have repealed the statutory provision that repealed the existing schedule for licensing and permitting fees authorized under the Maine Environmental Protection Fund. The bill also would have repealed the provision that allows a person to file a request for the Board of Environmental Protection to reconsider a decision.

Committee amendment "A" (H-536) prohibits a person from requesting that the Board of Environmental Protection reconsider a decision if that decision is an appeal or reconsideration of a decision made by the Commissioner of Environmental Protection. The amendment further limits a person to one request for reconsideration.

The amendment also extends for 2 years the existing permit and licensing fee structure authorized under the Maine Environmental Protection Fund.

LD 1446 An Act to Establish an Ambient Water Toxins Program

CARRIED OVER

SPONSOR(S)
COLES

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill requires the development and implementation of a comprehensive, ongoing program to monitor the waters of the State for toxic contamination. This bill was introduced in direct response to a legislative initiative in 1992, Public Law 1991, chapter 735. The committee voted to carry over the bill.

LD 1455 An Act Regarding Low-level Radioactive Waste

CARRIED OVER

SPONSOR(S)
TITCOMB

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This bill requires the Maine Low-level Radioactive Waste Authority to investigate ways to reduce the generation of low-level radioactive waste by identifying nonradioactive alternatives. It also requires