

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

MAY 1994

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

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, 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:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

Part F delays by one year the effective date of an exemption from the natural resource protection laws for certain subsurface waste water disposal systems. This part also places fragile mountain areas, deer wintering areas, seabird nesting islands and great ponds, rivers, streams and brooks located in the unorganized territories under the regulatory jurisdiction of the Maine Land Use Regulation Commission. The Maine Land Use Regulation Commission is directed to periodically review land use standards adopted by the commission for these resources to ensure that its standards afford a level of protection consistent with the goals of the Maine Revised Statutes, Title 38, chapter 3, subchapter I, article 5-A, the goals of Title 12, chapter 206-A and the commission's comprehensive land use plan.

Part G was an appropriation section. This part proposed to appropriate \$168,520 to the Geographic Information Systems for 2 positions and core general fund support, \$88,757 to the Office of Community Development in the Department of Economic and Community Development for 2 positions for enhanced municipal technical assistance and to conduct the evaluation of the growth management program and \$55,809 to the Land and Water Resources Council for one position.

The committee amendment also adds a fiscal note to the bill.

SENATE AMENDMENT "A" (S-600) struck all appropriations in Part G of the committee amendment and inserted in their place an allocation section that allocated \$39,218 to the Geographic Information Systems for 1 position and \$68,712 to the Office of Community Development in the Department of Economic and Community Development for 2 positions. These revenues were derived from a \$100,000 de-allocation from the Maine Solid Waste Management Fund.

The Senate amendment also added a Part H that established an effective date for the bill of October 1, 1994.

LD 1582 An Act to Amend Road Dust Nuisance Laws ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD	ONTP	

SUMMARY

LD 1582 proposed to exempt unpaved public and private roads that are not part of a commercial and industrial source or facility from best management practices for suspended particulate matter under state air quality laws.

**LD 1590 Resolve, to Direct the Department of Environmental Protection to Collect, Review and Develop Information for Use in Implementing the Clean Air Act RESOLVE 67
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK	OTP-AM	H-911

SUMMARY

The federal Clean Air Act, 42 United States Code, Section 7511c created the Ozone Transport Region, which includes the 12-state region from Virginia to Maine and the District of Columbia. The federal Clean Air Act imposes stringent control requirements on certain sources of ozone precursors throughout the Ozone Transport Region. The federal Clean Air Act also provides that the governor of any state in the Ozone Transport Region may petition the United States Environmental Protection Agency to remove some or all of the state from the Ozone Transport Region if the agency finds that Ozone Transport Region controls in these areas will not significantly contribute to attainment of the ozone standard.

This resolve would have required the Department of Environmental Protection to prepare a petition, for the Governor's signature, sufficient to satisfy United States Environmental Protection Agency's requirements to remove the State from the Ozone Transport Region.

COMMITTEE AMENDMENT "A" (H-911) strikes the original resolve title and resolve, and requires that the Department of Environmental Protection assess whether the control requirements imposed on the State's business and industry in the absence of removal from the Ozone Transport Region will help bring the 9 southern nonattainment counties into attainment of the federal ozone standard. The information is to be collected, reviewed and developed in consultation with and pursuant to guidance provided by the Environmental Protection Agency. A progress report of the department's activities must be provided to the Legislature by January 15, 1995 so it can determine whether Maine's industry is being required to expend resources on controls that will not significantly contribute to federal attainment. This amendment also adds a fiscal note to the resolve.

**LD 1610 An Act to Clarify the State's Implementing Regulations to
Provide for Schedules of Compliance**

PUBLIC 501

SPONSOR(S)
VOSE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-395

SUMMARY

LD 1610 proposed to allow the Department of Environmental Protection to include schedules of compliance in waste discharge licenses.

COMMITTEE AMENDMENT "A" (S-395) replaced the bill. The committee amendment clarifies the statutory authority for including in a waste discharge license a schedule of compliance with water quality standards effective after July 1, 1977. The amendment also clarifies that a compliance schedule may be included in a waste discharge license for new or more stringent technology-based treatment requirements, provided that the schedule is consistent with the compliance periods allowed under the United States Clean Water Act.

The committee amendment does not affect the application of specific limitations on compliance schedules contained in other provisions of existing law. Those existing limitations on compliance schedules include the provisions of the Maine Revised Statutes, Title 38, section 464, subsection 6 that pertain to biological water quality criteria and the provisions of Title 38, section 414-C that pertain to color pollution control.

The committee amendment also adds a fiscal note.

**LD 1641 An Act to Amend the Solid Waste Laws to Permit
Quasi-municipal Corporations to Enter Agreements for
Development and Financing of Waste Facilities**

ONTP

SPONSOR(S)
DIPIETRO

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill proposed to allow "quasi-municipal corporations", a term that was defined in the bill to include sewer districts, sanitary districts, water districts and multipurpose districts, to contract with other quasi-municipal corporations or with municipalities for the collection, transportation, storage, processing, salvaging or disposal of waste generated by any of the parties to the contract. The bill would have authorized those quasi-municipal corporations to pledge the full faith and credit of the corporation for all financing, development, construction, repair, maintenance and operating costs associated with one or more waste facilities.