

# 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  
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES

MAY 1994

**Staff:**

*Tim Glidden, Principal Analyst  
Patrick Norton, Legislative Analyst  
Deborah Friedman, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207)287-1670*

**MEMBERS:**

*\*Sen. Mark W. Lawrence  
Sen. Alton E. Cianchette  
Sen. Margaret G. Ludwig*

*\*Rep. Paul F. Jacques  
Rep. James Mitchell  
Rep. James Reed Coles  
Rep. Richard A. Gould  
Rep. Virginia Constantine  
Rep. Thomas E. Poulin  
Rep. Jason D. Wentworth  
Rep. Willis A. Lord  
Rep. Malachi Anderson  
Rep. John F. Marsh*

*\*Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
MARION HYLAN BARR  
JON CLARK  
LISA COPENHAVER  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
JILL IPPOLITI



JOHN B. KNOX  
ROY W. LENARDSON  
PATRICK NORTON  
JANE ORBETON  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
JOHN G. KELLEY, RESEARCHER  
DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**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

authorization, and 18 dams used as upstream storage either for FERC licensed hydropower dams or other "grandfathered" generating dams.

**LD 1776**     **An Act to Refund Money Collected from the Disposal Fee on Major Appliances and Tires to Municipalities**

ONTP

**SPONSOR(S)**

LORD

**COMMITTEE REPORT**

ONTP

MAJ

OTP-AM

MIN

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have allowed municipalities to be reimbursed for 50% of solid waste disposal fees deposited in the Maine Solid Waste Management Fund.

The minority amendment would have clarified that a municipality receives reimbursement only for fees paid by its residents, specified a procedure for collecting the reimbursement, and eliminated funding and positions in the Department of Environmental Protection and the Maine Waste Management Agency to reflect the loss of funds from the Maine Solid Waste Management Fund.

**LD 1791**     **An Act to Prevent Damage Claims against the State Due to the Installation of Drinking Water Wells in Areas of Possible Hazardous Substances and Oil Pollution**

PUBLIC 621

**SPONSOR(S)**

ANDERSON

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

H-878

**SUMMARY**

This bill would have defined "potential groundwater contamination source" and prohibited the location and establishment of new groundwater drinking water supply wells within specified distances from potential contamination sources.

COMMITTEE AMENDMENT "A" (H-878) replaces the bill. It limits recovery from responsible parties or from the Groundwater Oil Clean-up Fund, the Coastal and Inland Surface Oil Clean-up Fund or the Uncontrolled Hazardous Waste Site Fund for costs incurred in treating or replacing a contaminated well that serves a location that was connected to a viable community water supply system immediately before the well was installed. If the well was installed in an area delineated by the Department of Environmental Protection as a contaminated area, the Commissioner of Environmental Protection and the responsible parties are not required under the Maine Revised Statutes, Title 38 to reimburse the person for treatment and replacement costs. If the well was installed in any other area, recovery would be limited to the cost of drilling the well and its proper abandonment and would exclude the cost of the pump, the piping and the cost differential between public water and private well water. This does not relieve the commissioner or a responsible party from other clean-up responsibilities imposed by law.

The amendment also changes the category of sites for which municipalities are prohibited from receiving landfill remediation grants. Current law excludes grants to remediate threats to any structure built or approved by the municipality. The amendment excludes grants for structures built by the municipality or any local government entity in which the municipality or its residents participates. This change was added to avoid a conflict with changes made in LD 1757.