

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
NATURAL RESOURCES

AUGUST 1995

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

**SUMMARY OF LEGISLATION BEFORE  
THE JOINT STANDING COMMITTEES**

**AUGUST 1995**

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

**LD 949 An Act to Study the Design of the Auto Emissions Testing Program and to Limit the Use of Credits Created by the Program**

ONTP

**SPONSOR(S)**  
MCCORMICK

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have prohibited the use of emission reduction credits created by the motor vehicle emissions test and repair program to meet stationary source emission reduction requirements, unless the value of the credits benefits the motor vehicle owners who were subject to the test. The bill also would have established a study commission to evaluate various motor vehicle emissions testing methods that may be adopted in Maine as an alternative to the IM240 test.

**LD 952 An Act to Ensure Consistency Between State and Federal Environmental Requirements**

PUBLIC 347

**SPONSOR(S)**  
BUTLAND  
GWADOSKY

**COMMITTEE REPORT**  
OTP-AM MAJ  
ONTP MIN

**AMENDMENTS ADOPTED**  
S-275

**SUMMARY**

This bill proposed to require that state agencies that administer environmental laws must ensure that their rules, interpretations, opinions and other requirements are consistent with and no more stringent than federal requirements dealing with the same or comparable subjects.

COMMITTEE AMENDMENT "A" (S-275) replaces the bill. It applies only to rules adopted by the Board of Environmental Protection and it requires a comparison of state rules with federal laws and regulations only if a corresponding federal law or regulation exists. If no corresponding federal law or regulation exists, or if the state rule implements a state law that is more stringent than the corresponding federal law or regulation, the amendment does not affect the rulemaking process.

A provision of a state rule that is more stringent than a corresponding federal law or regulation is stayed for 60 days after its adoption, to allow interested persons a chance to petition the Board of Environmental Protection to have the Legislature review the more stringent provision. If 5 petitions are filed at any time within the 60-day period, the more stringent provision is stayed 60 days from the filing of the petitions.

During the 60-day stay period after filing of the petitions, the Legislature has an opportunity to review the proposed rule, to confer with the Department of Environmental Protection and interested parties and to take whatever action it finds necessary. The legislative committee of jurisdiction may choose to urge the Board of Environmental Protection to take whatever course the committee considers advisable or to introduce legislation to invalidate the rule.

If petitions are filed seeking legislative review, the department will send to the Legislature an outline of the more stringent rule provisions, a copy of the basis statement for the rule and copies of the petitions requesting review.

This process is repealed January 1, 1998 and the current law is reinstated. Current law requires the department to identify proposed state rules that it believes to be more stringent than federal law or regulations and to include in the basis statement for the rule a justification for the more stringent state rule.