

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:

CARRIED OVER	<i>Bill carried over to Second Session</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
CONF CMTE UNABLE TO AGREE	<i>Committee of Conference unable to agree; bill died</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
DIED ON ADJOURNMENT	<i>Action incomplete when session ended; bill died</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
FAILED EMERGENCY ENACTMENT	<i>Emergency bill failed to get 2/3 vote</i>
FAILED ENACTMENT	<i>Bill failed to get majority vote</i>
FAILED MANDATE ENACTMENT	<i>Bill imposing local mandate failed to get 2/3 vote</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
ONTP	<i>Ought Not to Pass report accepted</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
VETO SUSTAINED	<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 1002 An Act to Establish a Clean Air Act Title V Operating Permit Program

ONTP

SPONSOR(S)
CLARK
FERGUSON

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have directed the Department of Environmental Protection to establish an operating air emission permit program consistent with, and not more stringent than, the United States Environmental Protection Agency's requirements for such a program, and would have provided that sources in Maine subject to the new permit program would no longer be required to obtain air licenses under Maine's existing air emission licensing program. The bill would have also directed the department to incorporate the Clean Air Act requirements for the control of hazardous air pollutants in the licensing process.

LD 1014 Resolve, Directing the Commissioner of Environmental Protection to Propose a Plan to Reorganize the Department of Environmental Protection

CARRIED OVER

SPONSOR(S)
GOULD

COMMITTEE REPORT

AMENDMENTS ADOPTED

SUMMARY

This resolve proposes to require the Commissioner of Environmental Protection to prepare a proposal to restructure the department along functional lines, resulting in a technical services division, a licensing division and an enforcement division.

LD 1040 An Act to Amend the Toxics in Packaging Law

PUBLIC 184

SPONSOR(S)
GOULD

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-234

SUMMARY

This bill amends the toxic in packaging law consistent with revisions endorsed by the Coalition of Northeastern Governors' Source Reduction Task Force. It defines "intentional introduction" and "incidental presence" of regulated metals in packaging, specifies conditions under which certain packaging materials may be reused, and clarifies regulation of tin-plated steel and certain other coated steels.

COMMITTEE AMENDMENT "A" (H-234) adds a fiscal note to the bill.

LD 1042 An Act to Amend the Surface Water Ambient Toxics Monitoring Program

CARRIED OVER

SPONSOR(S)
ETNIER

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED

SUMMARY

In 1992, the Legislature directed the Commissioner of Environmental Protection to assess past and current data on toxic pollutants in the ambient environment of all surface waters of the State, and to recommend the necessary steps to implement an ambient water toxics monitoring program if this assessment indicated that such a program was warranted. The commissioner and the commissioner's advisory committee, by a

majority vote, found that the State did not have a comprehensive ambient toxics monitoring program to assess contamination.

The surface water ambient toxics monitoring program was established by the Legislature in 1994 for the purpose of developing and implementing a comprehensive, ongoing program to monitor the waters of the State for toxic contamination.

This bill proposes to modify the date for reporting on the surface water ambient toxics monitoring program to the joint standing committee of the Legislature having jurisdiction over natural resource matters.

This bill proposes to establish a new means of funding for the program at a level of \$500,000 per year. Funding would come from an assessment of minimal per barrel fees on all oil products imported into the State.

COMMITTEE AMENDMENT "A" (H-455) proposed to strike those portions of the bill that raise fees imposed upon oil terminal licensees and persons who transport oil. The amendment proposed to appropriate \$285,413 in fiscal year 1995-96 and \$284,413 in fiscal year 1996-97 to the program.

This bill was engrossed as amended by Committee Amendment "A", but was subsequently recommitted to the Appropriations and Financial Affairs Committee and carried over by that committee for further consideration in the 2nd Regular Session.

**LD 1060 An Act to Correct Errors and Inconsistencies with Regard to
the Restructuring of Maine Government to Conform with the
Provisions of the Texas Compact**

**PUBLIC 333
EMERGENCY**

SPONSOR(S)

LORD

COMMITTEE REPORT

OTP-AM

MAJ

OTP

MIN

AMENDMENTS ADOPTED

S-286

SUMMARY

This bill corrects errors and inconsistencies contained in Public Law 1994, chapter 664, "An Act to Consolidate and Streamline the Functions of Maine Government in Conformity with the Provisions of the Texas Low-Level Radioactive Waste Disposal Compact". This bill designates 2 year terms to members appointed to the Advisory Commission on Radioactive Waste; reenacts sections pertaining to the Texas Compact language that were inadvertently repealed; and clarifies the receipt and expenditure of any federal funds available to the Department of Human Services to carry out its duties to comply with the provisions of the Texas Compact.

COMMITTEE AMENDMENT "A" (S-286) adds language that moves staffing responsibility for the Advisory Commission on Radioactive Waste from the Department of Environmental Protection to the Department of Human Services. It eliminates the staff positions in the Department of Environmental Protection who supported the commission, provides for the continuation of those services by existing staff at the Department of Human Services and reduces the service fee assessed against low-level radioactive waste generators to reflect the decrease in costs. The amendment also adds a transition provision, an allocation section and a fiscal note to the bill.