

# 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

8. It authorizes the joint standing committee of the Legislature having jurisdiction over natural resource matters to report out legislation on wetlands regulation to the Second Regular Session of the 117th Legislature or the First Regular Session of the 118th Legislature;
9. It specifies that floodplain wetlands are regulated under this new wetland regulatory scheme; and
10. It eliminates the buffer strip requirement for gravel pits located adjacent to freshwater wetlands that are not subject to licensing as adjacent activities under the general wetlands law.
11. It adds an allocation section and a fiscal note to the bill.

**LD 1555      An Act to Amend the Emergency Planning and Community Right to Know Laws**

PUBLIC 411

**SPONSOR(S)**  
JACQUES

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
H-603

**SUMMARY**

This bill proposed to exempt transportation from the community right to know laws, provided that only toxics use reduction reports go to the Department of Environmental Protection, limited the amount of information required and deleted the requirement to provide shipping routes except for extremely hazardous materials. It also would have required the Maine Emergency Management Agency to apply for federal grants for training of local responders for hazardous materials emergencies or to reduce the amount of fees collected the following year for facility registrations and inventory by an amount equal to the grant that was available.

COMMITTEE AMENDMENT "A" (H-603) replaces the bill. The amendment repeals the requirement that the operator of a facility file a chemical inventory reporting form with the Department of Environmental Protection. It also specifies that the chemical inventory reporting form and fee may be filed at the same time as the registration fee if the inventory level for the current year can be projected to a reasonable degree of certainty.

**LD 1563      An Act to Address a Shortfall in the Ground Water Oil Clean-up Fund and Change the Financial Assistance Program for Owners of Underground Oil Storage Facilities**

PUBLIC 399  
EMERGENCY

**SPONSOR(S)**  
GOULD

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

**AMENDMENTS ADOPTED**  
H-610  
S-345      CARPENTER

**SUMMARY**

This bill allows the Finance Authority of Maine to borrow funds for inclusion in the Underground Oil Storage Replacement Fund in anticipation of the assessment and transfer of oil transfer fees from the Ground Water Oil Clean-up Fund.

The bill clarifies that the Ground Water Oil Clean-up Fund may be used for costs incurred by the Department of Environmental Protection to abate threats to groundwater from the discharge of petroleum from aboveground storage tanks.

The bill authorizes the Fund Insurance Review Board to monitor and report income and disbursements from the Ground Water Oil Clean-up fund and to adjust fees within specified limits if the fund balance falls below \$3,000,000.

The bill increases by \$3,000,000 the amount transferred from the Ground Water Oil Clean-up Fund to the Finance Authority of Maine. The additional funds will be used by the Finance Authority of Maine to help gas station owners meet the cost of installing vapor recovery equipment. The bill also allows fund transfers to the Finance Authority of Maine and fund disbursements for research and development to be suspended when the fund balance is \$3,000,000 or less.

COMMITTEE AMENDMENT "A" (H-610), the majority committee report, adds language reducing the cap on the Ground Water Oil Clean-up Fund from \$15,000,000 to \$12,500,000, prohibiting borrowing between the Maine Coastal and Inland Surface Oil Clean-up Fund and the Ground Water Oil Clean-up Fund after June 30, 1995 and requiring money borrowed prior to that date to be repaid within 2 years of the borrowing.

The amendment exempts liquid asphalt and #6 fuel oil from the petroleum products subject to fee increases by the Fund Insurance Review Board and provides for staggered terms for members of the Fund Insurance Review Board.

The amendment also protects money in the Ground Water Oil Clean-up Fund from being diverted to uses other than those for which it was collected. Any proposal to use the funds for another purpose must be presented to the Legislative Council and the Joint Standing Committee on Natural Resources at least 30 days before any vote or public hearing on the proposal and must be adopted by a 2/3 vote of the Legislature.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-345) corrects a technical error where changes were made to one paragraph of law in 2 separate places in the amendment.

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