

MAINE STATE LEGISLATURE

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LEGISLATIVE COUNCIL

**Tuesday, March 5, 1991
4:00 p.m.
Legislative Council Chamber**

REVISED AGENDA

CALL TO ORDER

ROLL CALL

SECRETARY'S REPORT

(Note: The Council is in recess.)

EXECUTIVE DIRECTOR'S REPORT

Item #1: Public Bill Status System Subscribers for the Current
Year (Information item)

REPORTS FROM COUNCIL COMMITTEES

OLD BUSINESS

NEW BUSINESS

Item #1: Report from David S. Silsby, Director, State House and
Capitol Park Commission. (Tabled on February 26
pending rescheduling).

Item #2: Preliminary Report from the Maine Waste Management
Agency regarding Comparative Use of Paper and Plastic
Bags.

Item #3: After Deadline Bill Requests. (List enclosed).

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

OFFICE OF THE EXECUTIVE DIRECTOR

MEMORANDUM

March 4, 1991

TO: Honorable Charles P. Pray, Chair
and Members of the Legislative Council

FROM: Sally *Sally*

SUBJECT: Subscribers to the "Public" Bill Status System

As you know, the Bureau of Data Processing administers a "public" version of our bill status system on the state's IBM Mainframe computer. Access to this system is available on an annual subscription basis. The Council sets the subscription fee, which is currently \$300.

Those who have subscribed for the current legislative session include:

- Blue Cross & Blue Shield of Maine
- Maine Bankers' Association
- Maine Chamber of Commerce & Industry
- Maine State Employees' Association
- Nonprescription Drug Manufacturers' Association
- Savings Bank Association
- State Farm Insurance
- United Way, Inc.

Please let me know if you have any questions.



STATE OF MAINE
MAINE WASTE MANAGEMENT AGENCY
EXECUTIVE DEPARTMENT

JOHN R. McKERNAN, JR.
GOVERNOR

SHERRY F. HUBER
EXECUTIVE DIRECTOR

March 1, 1991

TO: Joint Standing Committee on Energy and Natural Resources
Office of the Executive Director of the Legislative Council

FROM: Sherry F. Huber, Executive Director
Maine Waste Management Agency

Public Law 1989, chapter 585, part A, section 10 requires the Maine Waste Management Agency to "study any change in the relative number of plastic versus paper bags used by retail outlets" that results from the enactment of Title 38, section 1605 and to report our findings to the Energy and Natural Resources Committee by March 1, 1991.

The required report is currently in final draft form, but we request permission to delay its release an additional seven days in order to refine some estimates of bag use and to incorporate the findings of a survey by the Maine Merchants Association. In the report, we have gone beyond our charge to report changes in the number of bags used and included other impacts from the law and an outline of associated waste management and environmental issues.

We did not want to create too much suspense, so we have enclosed a summary of the draft report.

Thank you for your cooperation in this matter.



SUMMARY OF IMPACTS FROM PAPER BAG FIRST LAW

Changes in Bag Usage

- Preliminary estimates indicate plastic bag use declined by approximately 95 million bags in 1990. Paper bag use increased by 82 million bags.

Associated Reuse and Recycling Changes

- Two bag manufacturers have collection programs for plastic bags. One program collected 124,000 lbs. in 1990. One grocery chain also collects paper bags.
- The state's 2 largest grocery chains now give a 5-cent credit for paper bags reused by consumers.
- Stores are now selling reusable shopping bags made of canvas or mesh. Success has been mixed.

Compliance and Enforcement

- State agencies received 110 reports of stores violating the paper first provision of section 1605 in 1990. MWMA, DEP and the Attorney General's office responded with notice of violation letters and telephone follow-up.
- A student conducted survey in 5 mid-coast towns found that 93% of 114 retail stores were in compliance with the law and 78% of 96 consumers interviewed were in favor of the law.

Use, Reuse, Disposal and Recycling

- Each bag material has its pros and cons on these issues relative to the other material.

Cost to Retailers

- Plastic bags may cost one/half as much as paper bags of similar size. For some specialty bags, plastic may cost more.

Energy and Manufacture

- Both paper and plastic bags have detrimental environmental impacts. Which material is worse environmentally depends on the impact being considered, so a definitive answer to the question of which bag is more "green" is not likely in the near future.

The best way to reduce waste and minimize the environmental impacts of paper and plastic checkout bags is to encourage consumers to refuse unnecessary bags and to choose, and use, reusable bags.



STATE OF MAINE
MAINE WASTE MANAGEMENT AGENCY

EXECUTIVE DEPARTMENT

JOHN R. McKERNAN, JR.
GOVERNOR

SHERRY F. HUBER
EXECUTIVE DIRECTOR

March 1, 1991

TO: Joint Standing Committee on Energy and Natural Resources
Office of the Executive Director of the Legislative Council

FROM: Sherry F. Huber, Executive Director *S. F. Huber*

SUBJECT: Solid Waste Management Fund Expenditures

In accordance with the requirement of Public Law 1990, Ch. 869, sec. A-22, I am reporting on the expenditure of all funds from the Maine Solid Waste Management Fund for FY 1990 and the first six months of FY 1991.

Specifically included in this report are the identification and purpose of all personal services and agency consultants costs, grants made to municipalities and any other parties, transfers of funds to other agencies, transfers to the General Fund, and other areas of expenditures relevant to the duties of the agency.

If you have any questions, please do not hesitate to call me.



MAINE WASTE MANAGEMENT AGENCY

EXPENDITURE REPORT SOLID WASTE MANAGEMENT FUND

The Solid Waste Management Fund was established as a nonlapsing revolving fund to support programs administered by the Maine Waste Management Agency and the Department of Environmental Protection. The Fund is supported by two dedicated revenues: a fee on the disposal of special waste in landfills; and a fee at the point of sale on tires, lead acid batteries, white goods, major furniture, mattresses and bathtubs.

Money in the Fund may only be expended in accordance with allocations approved by the Legislature. These allocations shall be based on estimates of the actual costs necessary for the agency and the department to administer their programs, to provide financial assistance to regional associations and to provide other financial assistance necessary to accomplish the purposes of PL 1989, Ch. 585. The Fund is managed by the Department of Finance.

This report describes the expenditure of all funds from the Solid Waste Management Fund. Allocations from the fund as provided for in PL 1989, Ch. 585 are appended to this report.

OUTLINE OF FINANCIAL TABLES

- A. Maine Waste Management Agency - Office Expenditures
- B. Identification and Purpose of Personal Services and Consultants Costs Incurred by the Agency
- C. Grants Made to Municipalities
- D. Transfers of Funds to Other Agencies
- E. Transfers of Funds to the General Fund

A. MAINE WASTE MANAGEMENT AGENCY
OFFICE EXPENDITURES

OFFICE OF ADMINISTRATION

	FY '90	FY '91 (1st. 6 mon)
A. PERSONAL SERVICES	\$ 74,380	\$ 66,592
B. ALL OTHER	55,876	12,259
C. CAPITAL	11,113	-0-
D. CONTRACTS	-0-	-0-
E. GRANTS	-0-	-0-
TOTAL	<u>\$141,369</u>	<u>\$ 78,851</u>

OFFICE OF PLANNING

	FY '90	FY '91 (1st 6 mon)
A. PERSONAL SERVICES	\$ 89,563	\$ 86,682
B. ALL OTHER	109,063	13,347
C. CAPITAL	46,548	-0-
D. CONTRACTS		
* Market Decisions	11,800	
* Tellus Institute		5,000
E. GRANTS	-0-	-0-
TOTAL	<u>\$256,974</u>	<u>\$105,029</u>

OFFICE OF SITING & DISPOSAL OPERATIONS

	FY '90	FY '91 (1st 6 mon)
A. PERSONAL SERVICES	\$ 74,572	\$ 87,300
B. ALL OTHER	12,295	148,083
C. CAPITAL	24,002	-0-
D. CONTRACTS		
* Barry Lawson Associates		30,475
E. GRANTS	-0-	-0-
TOTAL	\$110,869	\$265,858

OFFICE OF WASTE REDUCTION & RECYCLING

	FY '90	FY '91 (1st 6 mon)
A. PERSONAL SERVICES	\$101,007	\$ 99,027
B. ALL OTHER	248,247	535,929
C. CAPITAL	20,832	-0-
D. CONTRACTS		
* Waste Utilization		
Research Group	12,458	
* Woods End Laboratory	9,998	
* Weil & Howe	23,520	
E. GRANTS		
* COG Grants	120,000	196,500
* Cycle 902 Grants		1,333,864
TOTAL	\$536,062	\$2,165,320

**B. MAINE WASTE MANAGEMENT AGENCY
PERSONAL SERVICES AND CONSULTANTS COSTS**

Costs for personal services and consultants incurred by the Maine Waste Management Agency are identified in paragraph D of the Agency's summary of Office Expenditures. (Section A).

The agency contracted with six consultants to provide the following services:

1990

Weil and Howe - market development research and market development strategy for recycled materials;

Waste Utilization Research Group - research conducted by the University of Maine on waste reduction techniques, anaerobic composting of food waste, developing a university recycling plan;

Woods End Laboratory - research and testing on animal bedding composting project.

Market Decisions - public opinion research on Maine people's attitudes toward waste reduction, recycling and disposal alternatives;

1991

Barry Lawson Associates - public participation services for the site selection process (Note: this contract was terminated prior to completion due to lack of funds);

Tellus Institute - acquisition of computer software and training in waste stream analysis and management alternatives for use by the agency and DEP and distribution to the regional planning councils and municipalities;

The Agency has contracted with two consultants since January 1, 1991: ABB, \$330,000 to conduct the site selection screening and Maine Resource Recovery Association, \$10,000, to conduct a feasibility study of cooperative marketing.

The Agency also contracted with each regional planning council to develop a regional recycling and implementation plan. A list of these contracts follows.

REGIONAL PLANNING CONTRACTS

GRANTEE	GRANT AMOUNT
ANDROSCOGGIN VALLEY COUNCIL OF GOVERNMENTS	\$30,000.00
GREATER PORTLAND COUNCIL OF GOVERNMENTS	\$30,000.00
NORTH KENNEBEC REGIONAL PLANNING COMMISSION	\$30,000.00
PENOBSCOTT VALLEY COUNCIL OF GOVERNMENTS	\$30,000.00

TOTAL FY 90 GRANTS	\$120,000.00
 CAPITAL COASTAL COUNCIL OF GOVERNMENTS	 \$30,000.00
HANCOCK COUNTY PLANNING COMMISSION	\$30,000.00
LINCOLN COUNTY RESOURCE & PLANNING	\$16,500.00
MIDCOAST REGIONAL PLANNING COMMISSION	\$30,000.00
NORTHERN MAINE REGIONAL PLANNING COMMISSION	\$30,000.00
SOUTHERN MAINE REGIONAL PLANNING COMMISSION	\$30,000.00
WASHINGTON COUNTY REGIONAL PLANNING COMMISSION	\$30,000.00

TOTAL FY 91 GRANTS	\$196,500.00
 GRAND TOTAL	 \$316,500.00

C. GRANTS MADE TO MUNICIPALITIES

Grantee	Grant Id	Status	Awarded	Paid
Cycle 902				
ABC's Community Recycling Coop	902-18	Signed	\$21,900.00	
Town of Arrowsic	902-43	Started	\$4,500.00	
City of Augusta	902-15	Started	165,000.00	
Town of Bridgton	902-2	Started	\$20,775.00	
Town of Cushing	902-10	Started	\$3,270.00	\$975.00
Town of Dover-Foxcroft	902-12	Signed	\$45,525.00	
City of Gardiner	902-49	Signed	\$66,750.00	
City of Hallowell	902-50	Signed	\$9,750.00	
Town of Jay	902-16	Started	\$58,500.00	\$53,375.86
Town of Litchfield	902-19	Started	\$15,000.00	
Town of Lubec	902-13	Signed	\$39,150.00	
Town of Manchester	902-51	Started	\$15,000.00	
Town of Mechanic Falls	902-30	Signed	\$23,100.00	
Mid Maine Solid Waste Associat	902-27	Signed	125,250.00	
Mid-Maine Waste Action Corpora	902-20	Signed	368,025.00	
Monhegan Plantation	902-48	Started	\$9,342.00	
N. Oxford Regional Solid Waste	902-17	Started	\$54,750.00	
City of Old Town	902-25	Signed	118,725.00	
Oxford County Regional Solid W	902-3	Started	237,246.00	166,023.80
S. Aroostook Solid Waste Dispo	902-32	Started	\$37,875.00	
City of Saco	902-47	Started	\$85,625.00	\$2,673.75
Town of Skowhegan	902-38	Signed	\$75,000.00	
Town of Saint George	902-14	Signed	\$11,829.00	
Tri-Community Recycling & San.	902-36	Started	\$83,250.00	\$66,927.84

Cycle 902:

0	Awarded
11	Signed
13	Started
0	Completed
0	Cancelled
\$1,695,137.00	Awarded
\$289,976.25	Paid

Note: The Agency has also awarded all of the \$5 million bond monies authorized in 1989 to municipalities for recycling programs.

D. TRANSFERS TO OTHER AGENCIES

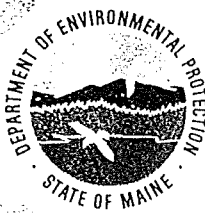
The Solid Waste Management Fund transferred the following amounts to the following agencies.

	<u>FY 90</u>	<u>FY 91</u> (6 mos.)
Dept. of Environmental Protection	\$443,595	\$432,843
Finance Authority of Maine		147,448

E. TRANSFERS TO GENERAL FUND

The Solid Waste Management Fund is required to transfer the following amounts to the following General Fund.

General Fund	\$ 884,101
Bureau of Taxation FY '90	128,440
Bureau of Taxation FY '91	<u>236,308</u>
Total	1,248,849
Transfers made to General Fund	(135,028)
Balance due to General Fund	\$1,113,821



STATE OF MAINE

Department of Environmental Protection

MAIN OFFICE: RAY BUILDING, HOSPITAL STREET, AUGUSTA
MAIL ADDRESS: State House Station 17, Augusta, 04333

207-289-7688

JOHN R. McKERNAN, JR.
GOVERNOR

DEAN C. MARRIOTT
COMMISSIONER

MEMORANDUM

TO: Committee on Energy and Natural Resources
FROM: *DM/RS* Dean C. Marriott, Commissioner
SUBJ: Expenditure of Dedicated Solid Waste Management Funds
DATE: February 28, 1991

In the second regular session of the 114th, Public Law 869, "An Act to Correct Errors and Facilitate Implementation of the Solid Waste Laws", was enacted. Section A-22 requires the Maine Waste Management Agency to provide notification on the expenditure of all funds from the Maine Solid Waste Management Fund.

As a part of that report, I have attached a summary of fund expenditures by the Bureau of Solid Waste Management for FY 1990 and the first six months of FY 1991.

Thank you.

cc: Sherry Huber, Executive Director
Maine Waste Management Agency

MAR 01 1991

BUREAU OF SOLID WASTE MANAGEMENT
SOLID WASTE MANAGEMENT FUND

	FY 90	FY 91 (1st 6 mos.)
A. PERSONAL SERVICES	\$ 303,426	\$ 379,760
B. ALL OTHER	98,139	50,257
C. CAPITAL	42,030	2,826
TOTAL	<u>443,595</u>	<u>432,843</u>

MAR - 1 1991

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
March 4, 1991

Action

SPONSOR: Rep. Bailey, Ronald C.

LR 2545 An Act Amending the Chapter of the Farmington
Village Corporation

Cosponsors: Sen. Webster

SPONSOR: Rep. Farnsworth

LR 2544 An Act to Prevent Unsafe Operation of Trains

SPONSOR: Rep. Gwadosky

LR 2540 An Act to Exempt Certain Medical and Juvenile
Records from the Freedom of Access Law

SPONSOR: Rep. Joseph

**LR 2546 An Act to Repeal Taxes that Finance the Maine
Health Program

SPONSOR: Rep. Kerr

LR 2547 An Act to Expand Commercial Structures in
Sand Dune Systems

SPONSOR: Rep. Lawrence

LR 2542 An Act to Amend the Liquor Laws

SPONSOR: Rep. Sheltra

LR 2543 An Act to Further Amend the Effective Date
of the Real Estate Appraisal Laws

TABLED BY THE LEGISLATIVE COUNCIL

SPONSOR: Rep. O'Gara	TABLED 02/28/91
**LR 2529 An Act to Amend the Laws Concerning Immunization of College Students	
Cosponsors: Rep. Kontos	
SPONSOR: Rep. Rotondi	TABLED 01/03/91
LR 0997 An Act Regarding Access to Certain Lands	
SPONSOR: Rep. Rotondi	TABLED 01/03/91
LR 2414 An Act to Adjust the Fee for Land Use Regulation Commission Zoning Permits	
Cosponsors: Sen. Webster Rep. Powers	
SPONSOR: Sen. Summers	TABLED 02/02/91
LR 2450 An Act to Discourage Fraudulent Workers' Compensation Claims	
Cosponsors: Sen. Webster	
SPONSOR: Sen. Webster	TABLED 02/26/91
LR 2497 An Act to Alter the Composition of the Commission on Governmental Ethics and Election Practices	

**Request noted with 2 asterisks appear to be closely related
to other requests on file.

ADDENDUM

LEGISLATIVE COUNCIL
REQUESTS TO INTRODUCE LEGISLATION
FIRST REGULAR SESSION
March 5, 1991

Action

SPONSOR: Rep. Carleton

**LR 2559 An Act to Require Prominent Display of the Cost
of Calling "900" Numbers

SPONSOR: Rep. Larrivee

LR 2558 An Act Concerning the Bonding Authority of
Cumberland County

Cosponsors: Sen. Clark, Nancy R.
Rep. DiPietro
Rep. O'Gara

** Requests noted with 2 asterisks appear to be closely
related to other requests on file.