

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JULY 1993

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

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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 (e.g., H-584 or S-222), 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:

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

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

SUMMARY

This bill would have amended the law regarding clearing of vegetation in the shoreland zone.

LD 709 An Act to Encourage the Implementation of the Solid Waste Management Hierarchy

PUBLIC 298

SPONSOR(S)

SAXL

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-297

H-420 CHONKO

SUMMARY

This bill would have amended the definition of solid waste by including sewage treatment plant sludge; added composting, land application, processing to reduce volume and incineration as means of recycling; and directed the agency to adopt rules to create a recycling credit for each method of solid waste management used to reduce the utilization of landfill space.

Committee Amendment "A" (H-297) replaces the bill. It requires the Maine Waste Management Agency to develop a system acknowledging municipalities' implementation of the solid waste management hierarchy. The system will include an annual report by the agency on the quantity of waste generated in municipalities and the method of management of that waste. The agency will also develop a municipal waste stream assessment model to be used by municipalities in completing their annual reports to the agency.

House Amendment "A" (H-420) adds a municipal mandate preamble and corrects the fiscal note.

LD 740 An Act to Amend the Laws Exempting Aseptic Packaging of Milk Substitutes

PUBLIC 77

SPONSOR(S)

BRENNAN

COMMITTEE REPORT

OTP

AMENDMENTS ADOPTED

SUMMARY

This bill exempts rice beverages from the ban on aseptic packaging and from coverage by the beverage container deposit law.

LD 758 An Act Regarding Automobile Air Emission Standards

PUBLIC 358

SPONSOR(S)

LORD

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-533

SUMMARY

This bill would have prohibited the Board of Environmental Protection from adopting air emission standards for new motor vehicles that are more stringent than the federal standards adopted for new motor vehicles.

Committee Amendment "A" (H-533) replaces the bill. It permits the Board of Environmental Protection to adopt a low-emission vehicle program known as the "California LEV program," but prohibits the board from subjecting motor vehicles to those low-emission standards unless a critical mass of states also require

motor vehicles to be subject to those standards by a certain date. Before the board can apply these standards to a motor vehicle model year, Massachusetts, Connecticut and at least one other New England state must have adopted the California LEV program, and Maine may not subject a model year to the California LEV standards before those states do. In addition, the California LEV program must have been adopted and must begin with model years no later than 1998 in states that have at least 60% of the new car and light-duty truck registrations in the ozone transport region consisting of the jurisdictions listed in the amendment.

The amendment also prohibits the board from implementing the California LEV program if the program includes use of reformulated gasoline other than the federal reformulated gasoline.

LD 766 An Act to Clarify the Definition of Solid Waste in Local ONTP
Flow-control Ordinances

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLEVELAND	ONTP	

SUMMARY

This bill would have limited the content of municipal flow-control ordinances by prohibiting a municipality from directing the disposition of material that a person has not discarded and does not intend to discard.

LD 777 Resolve, to Establish a Commission to Study Nonregulatory RESOLVE 42
and Market Solutions to Environmental Issues EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GOULD R A	OTP-AM	H-301 H-328 JACQUES S-372 PEARSON

SUMMARY

This resolve creates the Commission to Study Nonregulatory and Market Solutions to Environmental Issues. The commission will study the State's environmental laws and rules and make recommendations for alternative approaches that provide a cost savings to the State and offer greater flexibility to the regulated community without compromising appropriate levels of environmental protection.

Committee Amendment "A" (H-301) adds 3 legislators to the commission and provides that all expenses except per diem and expenses for legislators must be paid by outside funding sources, approved by the Legislative Council. The amendment also permits the commission to hire consultants and other staff, and removes authority to request staff from the Legislative Council.

House Amendment "A" (H-328) adds pollution prevention to the list of topics the commission must examine.

Senate Amendment "A" to the Committee Amendment (S-372) changes the appointing authority to the President of the Senate and the Speaker of the House of Representatives for all members and corrects language regarding the total number of members on the Commission.