

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON  
ENERGY AND NATURAL RESOURCES  
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
JUNE 1987

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 summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

"mining activity". Several additional requirements for project approval were proposed. These included the capacity to provide for sewerage facilities, no adverse impact on existing public access to water bodies and adequate provision for infrastructure facilities. The bill would have required that the cumulative impacts of development (defined in bill) be taken into account when permitting decision are made.

Fourth, several separate articles of existing law were proposed to be repealed and replaced with a comprehensive Protection of Natural Resources Law (covering great ponds, freshwater and coastal wetlands, alteration of streams, coastal erosion areas, coastal sand dunes, fragile mountain areas, coastal sand dunes, fragile mountain areas, and critical wildlife habitat. Development activities in these natural resource areas would have required a BEP permit.) Permitting authority could have been delegated to towns under certain conditions.

Fifth, the bill would have enacted the State Highway Land Use Management Act to address strip development along major highways.

See also: LD 1369, 1442, 1580, 1617 and 1647

LD 1296 AN ACT TO CLARIFY THE RESPONSIBILITIES OF STATE ONTP  
AND FEDERAL LAWS REGARDING THE CHEMICAL  
SUBSTANCE IDENTIFICATION LAWS.

Sponsor: TAYLOR, Twitchell, Willey, Brown  
Committee Report: ONTP

SUMMARY: The bill exempted all private employers from the state Chemical Substance Identification law. This law requires, among other things, that any employer must advise its employees about the hazardous materials that the employees work with and provide training for the employees.

LD 1303 AN ACT TO ESTABLISH CAPACITY CONTROLS ON ONTP  
COMMERCIAL SOLID WASTE DISPOSAL FACILITIES.

Sponsor: KANY, Tuttle, Murphy E, Richard  
Committee Report: ONTP

SUMMARY: The bill established a process to evaluate the public need for new solid waste disposal capacity and to ensure that recycling alternatives were fully explored. The bill required the Department of Environmental Protection to conduct a "capacity needs analysis" assessing the state's requirements for disposal capacity. The bill

also made provision for expanded public participation in the siting process. The text of the bill was derived from an earlier draft of the solid waste legislation from the committee's study (see LD 1862). The committee unanimously rejected the bill in light of the study legislation already under consideration.

LD AN ACT TO ENHANCE PUBLIC ACCESS AND OUTDOOR  
1307 RECREATION OPPORTUNITIES.

P&SL 1987  
c. 68

Sponsor: MATTHEWS Z, Mayo, Weymouth  
Committee Report: OTP-A  
Amendments Adopted:  
H-385 JACQUES  
S-186 COMMITTEE

SUMMARY: The original bill removed forest lands leased for recreational purposes from eligibility under the Tree Growth Tax law (36 MRSA §571 et.seq.). It added a definition of the term, "vehicle" to the Tree Growth Tax law. It also changes the Farm and Open Space law by changing the statement of purpose and the definition of open space land to emphasize the importance of preserving and enhancing public outdoor recreation opportunities.

The committee amendment replaced the entire bill and established a commission to study outdoor recreation needs and current outdoor recreation policies. Membership was divided between legislators and public members representing various interest groups. The commission is directed to report its findings and recommendations to the Legislature by January 15, 1988. The committee unanimously approved the amended bill.

The floor amendment adds an emergency preamble and adds two public members to be appointed by the President of the Senate and the Speaker of the House.

LD AN ACT TO AMEND THE LAWS REGARDING THE  
1310 REGULATION OF LANDFILLS AND OTHER WASTE  
DISPOSAL FACILITIES.

ONTP

Sponsor: TUTTLE, Murphy E, Lord, Estes  
Committee Report: ONTP

SUMMARY: The bill authorized the Commissioner of the Department of Environmental Protection to declare emergency moratoria on the processing and approval of commercial landfill applications. The bill also authorized the Board of Environmental Protection to consider the criminal and civil record of an applicant for a hazardous waste facility. The bill extended the then current landfill