

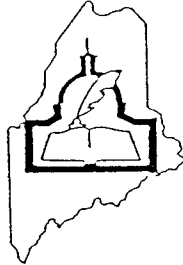
# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
ENERGY AND NATURAL RESOURCES

JUNE 1990

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**One Hundred and Fourteenth Legislature  
Second Regular Session**

**Joint Standing Committee  
Bill Summaries**

**June 1990**

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 for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. Committee Reports and Floor Action are abbreviated as follows:

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

Each individual summary was 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, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD	OTP-AM MAJ	H-1069 MAJ REP
KANY	OTP-AM MIN	
DEXTER		
HOGLUND		

**SUMMARY**

This bill, as amended by the majority committee report (H-1069), makes a variety of largely technical changes to the comprehensive solid waste legislation enacted in 1989 (P.L. 1989, c.585). The major portions are described below.

The original bill proposed changes in the advance disposal fees on white and brown goods, auto batteries and tires. The bill also proposed changes in the solid waste recycling tax credits enacted in 1989. These proposals were ultimately removed from this bill and incorporated in legislation reported out by the Taxation Committee (See LD 2494).

The amended bill revises the fee schedule for disposal of special and municipal solid waste to lower fees for wastes delivered to public disposal facilities and to eliminate any fee for the disposal of municipal solid waste at a publicly owned landfill. Any prior overcollection will be credited or refunded. A higher fee is imposed on the disposal of oily debris to encourage recycling of this material. An existing exemption from air quality licensing requirements related to the use of oily debris in asphalt plants is tightened.

The amended bill changes the responsibilities for the initiation of beverage container deposits on those beverages that are sold through nonexclusive distributorships. Other amendments to the beverage container law are included to make related provisions of the beverage container law consistent with the change in initiation responsibility. The effective date of the expansion of the Bottle Bill to nonalcoholic beverages is delayed until December 31, 1990.

Expansions of existing, licensed public disposal facilities are exempted from the need to meet siting criteria established by the Maine Waste Management Agency. Such expansion remains subject to the requirement to demonstrate consistency with the capacity needs identified by the agency.

The amended bill extends the current prohibition on the licensing of new commercial solid waste disposal facilities to include new commercial biomedical waste disposal facilities. The amended bill also clarifies the jurisdiction of the Maine Waste Management Agency over hazardous and biomedical wastes redefining the term, "solid waste", to exclude hazardous and biomedical waste. A separate definition of biomedical waste is included. The minority committee amendment (H-1070) did not include these changes.

**LD 2358** An Act to Amend the Laws Administered by the Maine Land Use  
Regulation Commission

PUBLIC 810

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD	OTP-AM	H-990
ANDERSON		
COLES		

**SUMMARY**

This bill amends the hearing and other procedural requirements followed by the Maine Land Use Regulation Commission when it amends district boundaries and standards. Because changes in districts, zoning changes, and resulting zoning maps are considered rulemaking, some of the 1989 changes to the

Administrative Procedures Act are not relevant to LURC zoning requirements. The bill amends the provisions of the Commission's statute relating to zoning to streamline the administration of the 25 to 30 zoning petitions received by the Commission each year.

The bill also modifies the current provision that specifies a 60-day deadline for processing subdivision applications. The 60-day deadline is retained while clarifying that the deadline applies to applications completed and ready for processing and applications for subdivisions where the proposal is located in a zone in which subdivisions are a permitted use. Most proposals for subdivisions currently require an area to be rezoned as a development district and a subdivision cannot be approved until that zone change has been approved. This provision allows the Commission to handle the zoning petitions and subdivisions in a coordinated manner, without having to decide a subdivision application prematurely to meet the statutory deadline.

The committee amendment (H-990) incorporates changes to the section of law amended in this bill made this session in other legislation (PL 1989, ch. 624).

**LD 2360      An Act to Amend the Laws Governing the Maine Environmental      ONTP**  
**Protection Fund**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
PERKINS LUDWIG	ONTP	

**SUMMARY**

This bill would have established new fees and increased some existing license and certification fees of the Department of Environmental Protection. (See also LD 2432)

**LD 2364      An Act to Establish Fees for Nonferrous Mining      LV/WD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
ANDERSON LUDWIG DEXTER	LV/WD	

**SUMMARY**

The bill would have established a maximum processing fee of \$90,000 for nonferrous metal mining applications and a maximum annual licensing fee of \$10,000. It also would have required the Department of Environmental Protection to promulgate rules for mining by November 1, 1989. (See LD 2416)

**LD 2368      An Act to Reduce Toxics in Packaging      PUBLIC 849**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
CURRAN KANY GARLAND HUTCHINS	OTP-AM	H-1020

**SUMMARY**

This bill, as amended by the committee (H-1020), provides for the reduction of lead, mercury, cadmium and hexavalent chromium in packaging or packaging materials used or sold within the State. Manufacturers and suppliers of packaging or packaging materials are required to reduce the sum of the concentration levels