

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES**

AUGUST 1991

Staff:
Tim Glidden, Principal Analyst
Gro Flatebo, Legislative Analyst
Patrick Norton, Legislative Analyst

Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670

MEMBERS:

**Sen. Bonnie L. Titcomb*
Sen. John E. Baldacci
Sen. Margaret G. Ludwig

**Rep. Paul F. Jacques*
Rep. James Mitchell
Rep. James Reed Coles
Rep. Annette M. Hoglund
Rep. Richard A. Gould
Rep. P. Kelley Simpson
Rep. Basil L. Powers
Rep. Willis A. Lord
Rep. Malachi Anderson
Rep. John F. Marsh

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
RON CLARK
RYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL.: (207) 289-1670

KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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.

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:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</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, and especially Laurette Knox who coordinated preparation of the overall document.

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

Joint Standing Committee on Energy & Natural Resources

LD 2 An Act Concerning Open Burning

**PUBLIC 36
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD KANY	OTP-AM	H-41

SUMMARY

The original bill would have reestablished the open burning laws in Title 38 which were repealed in 1989.

The committee amendment (H-41) strikes the original bill to enact provisions regulating open burning in Title 12. This new section of Title 12 restores the authority and responsibility of the Maine Forest Service to enforce open burning restrictions and to issue permits and conditional permits in accordance with rules of the Department of Environmental Protection and other agencies.

LD 3 An Act to Allow Relicensing of an Existing Biomedical Waste Facility

**PUBLIC 297
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LUDWIG PRAY CARPENTER JACQUES	OTP-AM	S-162

SUMMARY

This bill changes the effective date of existing law by 5 days to allow an existing licensed and operating biomedical waste disposal facility to be relicensed. A cloud on the relicensing of Maine's sole existing biomedical waste disposal facility was inadvertently created by the enactment of Public Law 1989, chapter 869. No other substantive provision of law is changed nor is it the intent of the Legislature to affect with this legislation the existing prohibition on the development of new commercial biomedical waste disposal facilities. Committee amendment "A" (S-162) adds the requisite fiscal note.

LD 15 An Act to Clarify the Waste Transfer Station Setback Requirements

PUBLIC 43

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD JACQUES	OTP-AM	H-42

SUMMARY

This bill proposed to amend the law concerning solid waste transfer stations so that transfer station setback requirements applied only to abutting residential property boundaries.

Committee amendment "A" (H-42) replaced the bill. The amendment establishes setback requirements for handling sites at new waste transfer stations. The setback requirements are effective on January 1, 1992 and are applicable to any transfer station permit or license application received after that date.

Under the committee amendment, approval of handling site locations at new transfer stations on islands is determined by the Department of Environmental Protection on a case-by-case basis. For island sites, the