

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

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

AUGUST 1991

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**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.

The committee amendment (H-331) replaced the bill with Part A of LD 77 to continue the Commission to Study Maine's Oil Spill Clean-up Preparedness until June 30, 1992. This amendment:

- 1. Extends the allocation of existing funds for the commission until June 30, 1992. The bill does not allocate any new funds for the commission;
- 2. Requires the Department of Environmental Protection to provide reports to the commission by June 30, 1991, and quarterly thereafter, on:
 - A. Its progress in rulemaking;
 - B. The state oil spill contingency plan;
 - C. The sensitive area identification and protection system;
 - D. The wildlife rehabilitation plan;
 - E. The possibility of a Gulf of Maine oil spill compact; and
 - F. The availability of oily debris disposal facilities; and
- 3. Requires the commission to report to the Legislature by November 1, 1991, on:
 - A. The progress of the new federal, state and industry response initiatives;
 - B. The relationship between the new federal fund and the existing Maine Coastal and Inland Surface Oil Clean-up Fund; and
 - C. Any recommendations for further state legislative or administrative action.

A Senate amendment (S-390) adds two more members to the commission.

LD 256 An Act to Allow a Municipality to Assess an Administrative Penalty for Violations of Timber Harvesting and Vegetation Clearing Provisions of the Shoreland Zoning Laws ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HICHBORN	ONTP	

SUMMARY

This bill would have authorized the municipal officers of a town to enforce the timber harvesting and vegetation cutting provisions of a local shoreland zoning ordinance through the direct administrative assessment of fines.

LD 295 An Act to Amend Certain Definitions in the Laws Governing Solid Waste ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BOUTILIER GOULD R A	ONTP	

SUMMARY

This bill would have replaced the current definition of aseptic packaging with the substance of the

definition that existed prior to the Second Regular Session of the 114th Legislature. The change would also have allowed the sale of beverages in containers composed only of metal foil and plastic and would have amended the definition of the term "beverage container" to change the maximum size from one gallon to 4 liters. Beverages sold in 4-liter containers would have been subject to the bottle deposit laws.

LD 296 An Act to Allow Persons with Medical Problems to Purchase ONTP
Beverages in Aseptic Containers

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GRAHAM	ONTP	
LUDWIG		
DUPLESSIS		
GURNEY		

SUMMARY

This bill would have allowed persons with medical problems to apply for an exemption to the ban on aseptic or composite material beverage containers within the State. These persons would then be able to mail order beverages in aseptic containers from out-of-state.

LD 302 An Act Regarding Clear-cutting of Wood LV/WD

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ROTONDI	LV/WD	
WEBSTER		

SUMMARY

This bill proposed to decrease the amount of standing timber that must be left on a harvested site before the site is categorized as a clear-cut.

LD 331 An Act to Discourage the Improper Disposal of Tires ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FARNSWORTH	ONTP	

SUMMARY

This bill would have prohibited the disposal of tires except by tire retailers or wholesalers.

LD 335 An Act to Amend the Subdivision Laws within the Jurisdiction PUBLIC 306
of the Maine Land Use Regulation Commission

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GOULD R A	OTP-AM	H-329
ANDERSON		

SUMMARY

Prior to the passage of this bill, the definition of "subdivision" included the creation of a lot of 40 acres or larger in size when the lot from which it was divided is located within a shoreland area. The original bill proposed to amend that definition to provide that a subdivision does not include the creation of a lot that is 40 acres or larger in size except when the lot that is created is within the shoreland area.