

# 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:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<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-329) changes the original bill to specify that lots greater than 40 acres created more than 1/4 mile from waterbodies are exempt from review by the Maine Land Use Regulation Commission. These lots are still subject to an existing 10-lot trigger for review. This amendment also requires that plans creating lots subject to this exception must be certified by the commission as meeting these conditions before they can be filed with the appropriate registry of deeds. The commission is required to make that certification within 15 days. The amendment also adds a fiscal note to the bill.

**LD 340      An Act Concerning Commercial Landfill Facilities      ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HANLEY	ONTP	

**SUMMARY**

This bill would have required new commercial landfill facilities to give its land to the State in exchange for a lease arrangement that would allow the owners to operate a commercial landfill facility. It also would have prohibited more than 10% of a landfill's capacity from being used for the disposal of imported solid waste.

**LD 343      An Act to Facilitate Municipal Road Reconstruction      ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD BAILEY R	ONTP	

**SUMMARY**

This bill would have exempted the maintenance of roads by a municipality from permits required under the natural resource protection laws, the site location of development laws and the mandatory shoreland zoning laws. Road maintenance performed by municipalities would have been exempt as long as the municipality stayed within the bounds of the right-of-way.

**LD 358      An Act to Ensure Safe Removal of Underground Oil Storage Tanks      PUBLIC 88**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BRANNIGAN HOGLUND COLES SIMPSON	OTP-AM	S-48

**SUMMARY**

The bill requires that, when underground tanks are being removed, the flammable gases purged from the tanks and from the trucks that will remove oil from the tanks be vented at least 12 feet above ground level to avoid explosions.

The bill also requires that the removal of underground oil storage tanks that hold Class 1 liquids, including gasoline, be directly supervised by the appropriate professional. Professional firefighters who perform this service must do so in their official capacity and not as an off-the-job enterprise.

The committee amendment (S-48) changes the bill to require firefighters that are supervising the removal of an underground oil storage tank to be certified by the Commissioner of Environmental Protection. It also requires firefighters supervising tank removals to get authorization from the town with which they

are affiliated and allows them to supervise removals only in their own municipality or areas with which their municipality has a compact.

**LD 361      An Act to Expand the Applicability of Certain Energy Standards      UNSIGNED**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN PARADIS P DAGGETT	OTP-AM	S-34

**SUMMARY**

This bill proposed to repeal the exemption for owner-built homes from the existing residential energy efficiency standards.

Committee amendment "A" (S-34) replaced the bill. The amendment would amend the exemptions in the State's mandatory standards for residential construction by restricting the "owner-built home" exemption to single-family residential buildings that are physically constructed by the people who own and live in the buildings. At the time of printing, the Governor had not signed this bill.

**LD 373      An Act to Prevent Ongoing Erosion Damage to the Environment by Allowing Preventative Repair      ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TITCOMB JACQUES SIMPSON LORD	ONTP	

**SUMMARY**

This bill would have required the Department of Environmental Protection to issue permits under the natural resource protection laws for projects that repair or protect areas from acute or chronic environmental degradation as long as the applicant demonstrates that the long-term benefits of the project outweigh the short-term impacts of the project. A project would not be required to meet the existing environmental standards. The Board of Environmental Protection would have been required to adopt rules to implement this bill by January 1, 1992.

**LD 377      An Act Relating to Solid Waste Management      ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KANY SIMPSON TREAT TITCOMB	ONTP	

**SUMMARY**

This bill would have increased the scope of interlocal cooperation by permitting nonprofit organizations that are not public agencies to join interlocal agreements.

This bill also would have required the Maine Waste Management Agency to develop a policy and implementation schedule designed to decrease the volume and toxicity of packaging of consumer goods. It also would have required the Maine Waste Management Agency to research and develop a product labeling