

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

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

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BRET A. PRESTON, RES. ASST.

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

**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.

LD 448 An Act Concerning Waste Management

**PUBLIC 72
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD COLES TITCOMB	OTP-AM	H-68

SUMMARY

This bill would have prohibited the landfilling of yard waste and encourages the development and implementation of composting programs. The bill also amends the solid waste facility licensing law to exempt the disposal of construction and demolition debris, land clearing debris and wood wastes from licensing requirements if the disposal facility is less than one acre in size and only one exempt disposal facility is located on a single parcel of property.

Committee amendment "A" (H-68) strikes a provision in the bill that prohibited the disposal of yard wastes in solid waste landfills and makes other technical corrections to the bill. The changes in definitions correct technical oversights made during the Second Regular Session of the 114th Legislature. The creation during that session of a new category of waste, biomedical waste, necessitates the inclusion of this new term in the definitions of all the basic terms governing the management of waste. In certain instances, the same logic dictates the inclusion of other waste types for the sake of consistency.

The change regarding the proposed exemption for small demolition debris sites was necessary to correct a drafting error. At the time the bill was amended, Department of Environmental Protection rules allow this exemption but could be interpreted to allow more than one small site on any given parcel of property. The corrected version of the exemption would close the loophole.

LD 454 An Act to Extend the Eligibility Period for Reimbursement of Municipalities for Landfill Closure

PUBLIC 215

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD LUDWIG JACQUES TITCOMB	OTP-AM	H-215

SUMMARY

Current law reimburses towns that have adopted landfill closure plans prior to January 1, 1983. This bill proposed to amend the law so that a municipality that has adopted a plan to close a solid waste landfill prior to January 1, 1982 is eligible for reimbursement of costs associated with the plan.

Committee amendment "A" (H-215) replaced the bill. The amendment removes a provision in the law that limits eligibility for state reimbursement of municipal landfill closure or remediation costs to closure or remediation actions taken after January 1, 1983. The amendment enacts new language that extends municipal reimbursement eligibility to landfill closure or remediation costs incurred by a municipality after February 1, 1976 if the closure and remediation actions were done in conformance with all applicable laws and rules in effect at the time. Costs incurred by landfill closure or remediation actions taken after the adoption of a closure or remediation plan are eligible for reimbursement only if they conform to the provisions of the plan. The "closure or remediation plan" refers to a landfill closure or remediation plan adopted by the Department of Environmental Protection under the Maine Revised

Statutes, Title 38, chapter 13, subchapter 1-A. The amendment also clarifies that municipally owned, rented or leased landfills are eligible for reimbursement and that privately owned and privately operated landfills are not eligible for reimbursement.

LD 460 An Act to Allow Horseback Riding in State Parks During the Off-season ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SMALL KILKELLY	ONTP	

SUMMARY

This bill would have prevented the Commissioner of Conservation from adopting any rule that prevents horseback riding at any state park between the dates of October 1st and May 31st. Currently, horseback riding is allowed at five state parks.

LD 479 Resolve, to Establish a Maximum Water Level for Sebago Lake ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD JACQUES	ONTP	

SUMMARY

This resolve would have required the Commissioner of Environmental Protection, in conjunction with the Commissioner of Inland Fisheries and Wildlife, to establish a maximum water elevation for Sebago Lake based on the historical record of lake levels between 1941 and 1986.

LD 507 Resolve, to Study Public Access to Maine Lands ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
KANY PRAY	ONTP	

SUMMARY

This resolve would have established the Commission to Study Public Access to Maine Lands. The commission would have studied ways to ensure public access to publicly owned and privately owned land and natural resources in this State.

LD 514 An Act to Control Emissions of Refrigerants that Damage the Ozone ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL J SIMONDS POWERS HEESCHEN	ONTP	

SUMMARY

This bill would have prohibited the use of chlorofluorocarbons in stationary air conditioners and stationary refrigeration equipment.