

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.

LD 1083 An Act to Ensure Voter Participation in the Siting of Both Storage and Disposal of Radioactive Waste

PUBLIC 287

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MILLS	OTP-AM	H-308 JACQUES
MARTIN J		S-100
HOLT		
LUDWIG		

SUMMARY

This bill would have required any low-level radioactive waste disposal or storage site selected by the Maine Low-level Radioactive Waste Authority to receive the approval of at least 60% of the voters of the municipality in which the site is intended to be located. The bill also would have required that, if the authority selects an uninhabited, unorganized territory as the site for either the low-level radioactive waste disposal or storage facility, the site must receive the approval of at least 60% of the voters in the abutting territories and municipalities.

Committee amendment "A" (S-110) replaced the bill. The amendment prohibits the Maine Low-level Radioactive Waste Authority from siting or from continuing to operate a previously sited low-level radioactive waste storage facility after January 1, 2001 without the approval of at least 60% of the voters of the host municipality or township.

House amendment "B" (H-308) clarified that the voting requirement is a percentage of voters casting ballots.

LD 1136 An Act to Assist in the Management of Biomedical and Associated Wastes

PUBLIC 382

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GILL	OTP-AM	S-275
STEVENS P		
GWADOSKY		
BALDACCI		

SUMMARY

This bill, as amended by committee amendment "A" (S-275), exempts hospital-owned biomedical waste disposal facilities from the ban on commercial development of these facilities. To be exempt, the facility must be at least 51% owned by a hospital or by an affiliate of a hospital. The amendment also adds a minor fiscal note.

LD 1137 An Act to Repeal Certain Redundant Laws Relating to the Bureau of Air Quality Control

PUBLIC 171

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LUDWIG	OTP-AM	S-94
GOULD R A		
ANDERSON		

SUMMARY

Pursuant to Public Law 1989, chapter 144, certain types of air quality standards and rules, as adopted by the Board of Environmental Protection, are no longer required to be enacted by the Legislature to remain

in effect. There are 14 of these rules administered by the Department of Environmental Protection. Each rule has an identical, corresponding section of law. This bill repeals those duplicative laws.

The committee amendment (S-94) removes the repeal of the section that stipulates low sulfur fuel requirements.

LD 1144 An Act Concerning State Provision of Landfill Capacity for ONTP
Municipal Solid Waste

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
COLES	ONTP	
LORD		
LUDWIG		
GOULD R A		

SUMMARY

The bill proposed to clarify the intent of the Legislature regarding the Maine Waste Management Agency's responsibilities in ensuring municipal solid waste disposal capacity, by explicitly including municipal solid waste disposal responsibilities in the mandate of the Maine Waste Management Agency. The bill also proposed to clarify that local or regional development of municipal solid waste disposal facilities was not precluded by existing law.

LD 1166 An Act to Allow the Use of Either Paper or Plastic Bags at PUBLIC 475
Point of Retail Sale

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
POULIOT	OTP-AM MAJ	H-204 MAJ REP
DORE	ONTP MIN	H-488
CLEVELAND		

SUMMARY

This bill proposed to repeal the law that prohibits the use of plastic bags unless requested by the customer.

Committee amendment "A" (H-204), the majority report of the Joint Standing Committee on Energy and Natural Resources, replaced the bill. The committee amendment permits retailers to use plastic bags if they locate a receptacle on the premises to collect and recycle used plastic bags. The amendment also requires the Maine Waste Management Agency to report to the Joint Standing Committee on Energy and Natural Resources by January 1, 1993.

House amendment "A" (H-488) alters the location requirement for the receptacle used for collecting used plastic bags to require placement inside the store or within 20 feet of the store's main entrance and requires that stores ensure that the plastic bags are recycled or delivered to a recycler.