

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 1265 An Act to Prohibit the Siting of Landfills within 10 Miles of Municipalities That Host or Have a Waste-to-energy Facility

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
DUTREMBLE D	ONTP	
DUTREMBLE L		
BOST		
SHELTRA		

SUMMARY

This bill would have prohibited the licensing of a landfill that accepts special wastes generated by a waste-to-energy facility within a 10-mile radius of the municipality hosting an incineration facility.

LD 1278 An Act to Establish a Household Battery Collection Program

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TREAT	ONTP	
COLES		
HOGLUND		

SUMMARY

This bill would have established a household battery collection program through a deposit system on batteries. A 10¢ deposit would have been required on all household batteries sold in this State after February 1, 1993. The deposits would have been initiated by the battery manufacturer or importer. Retailers, distributors and redemption centers would have been paid a handling fee by manufacturers or importers for their battery collection efforts.

The sale of products with household batteries that can not be replaced is prohibited after February 1, 1994. A waiver system would have provided for certain medical products and products that can not be redesigned to comply with this provision.

LD 1283 An Act to Facilitate Review of Applications Submitted to The Department of Environmental Protection

PUBLIC 471

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PRAY	OTP-AM	H-595 JACQUES
LORD		S-297
TITCOMB		
HOGLUND		

SUMMARY

The bill proposed to direct the Commissioner of Environmental Protection to establish a procedure by which an applicant for a permit may request a review by qualified professionals outside the department of all or part of the application.

Committee amendment "A" (S-297) replaced the bill. The amendment allows the Commissioner of Environmental Protection to contract with private firms for full or partial review of applications submitted to the department if the applicant agrees to such arrangements, if the applicant agrees to pay all costs for the outside review and if departmental personnel are unable to complete the review within a reasonable period of time. The amendment establishes standards for the outside review of applications that ensure the fair, adequate and consistent review of applications, protect the public interest and protect against conflicts of interest. Any person acting as an outside reviewer who knowingly violates

standards established in this amendment is guilty of a Class D crime, punishable by not more than 1 year in prison and by a fine not less than \$5,000 and not more than \$25,000. This Act is repealed on July 1, 1993.

House amendment "A" (H-595) corrects references in the bill to the soil and water conservation districts.

LD 1285 Resolve, Concerning the Construction of Coal-burning Facilities ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FOSTER SWAZEY BALDACCI GOULD R R	ONTP	

SUMMARY

This resolve proposed to establish a 9-member Commission to Study the Use and Impact of Coal-burning Facilities. The commission would have been required to begin its work by July 1, 1991 and to report to the Legislature by November 1, 1991.

LD 1289 An Act to Promote Comprehensive and Consistent Statewide Environmental Policy and Regulation CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GOULD R A TARDY		

SUMMARY

This bill would establish uniform statewide policies and rules in the areas of forest practices and pesticide control by prohibiting municipalities from adopting or enforcing ordinances that address forest practices or pesticide control. The bill also specified that state law preempts municipal ordinances unless municipalities are expressly granted the power to regulate.

LD 1302 An Act Concerning Dredging within the Webhannet River Estuary ONTP

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

SUMMARY

This bill would have authorized the redredging and maintenance dredging of the existing federal navigation project in Wells Harbor with placement of sand material on Wells Beach and Drakes Island Beach to offset sand lost from the beaches into the harbor. Two conditions had to be met for this dredging to proceed: public notice requirements and no additional intrusion into the river, estuary or coastal embayment.