

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.

deteriorate or are treated in such a way that they release asbestos fibers. The term "demolition" is left undefined.

Certification and licensing requirements are repealed from this chapter and a requirement is enacted to require the Board to develop criteria and requirements by rule. New categories of certified and licensed asbestos abatement workers and entities are charged license fees. A person applying for certification under more than one category is charged an additional \$25 fee. The provisions in the original bill for increased fees are deleted by the amendment.

The board is required to develop rules relating to air monitoring, bulk sample analysis, access to work sites and other activities. A requirement that these requirements be cost-effective is also included.

The amendment also includes a fiscal note.

A Senate amendment (S-323) provides a technical drafting change.

LD 1360 An Act to Repeal the Ban on Composite Material Beverage Containers ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GREENLAW	ONTP	

SUMMARY

This bill would have repealed the ban on composite material beverage containers.

LD 1367 An Act to Establish an Environmental Training, Technical Assistance and Education Program ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
AULT COLES HOLLOWAY	ONTP	

SUMMARY

This bill would have established the Environmental Training, Technical Assistance and Education Program to be administered by the Department of Environmental Protection and the Maine Pollution Prevention Fund to support the program. The goal of the program was to strengthen environmental protection in the State through proactive environmental training, technical assistance and education.

LD 1371 An Act to Establish Environmental Standards for Packaging ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TREAT TITCOMB ADAMS WENTWORTH	ONTP	

SUMMARY

This bill would have prohibited the sale of packaging materials that do not meet minimum standards of reusability, recyclability or recycled content, beginning on July 1, 1996. The bill proposed to increase the minimum allowable standards by 15% every 5 years after 1996 until the year 2011. The Executive Director of the Maine Waste Management Agency would have been required to adopt rules by July 1, 2010

establishing effective allowable rates that will apply after July 1, 2011. The bill also would have required the Executive Director of the Maine Waste Management Agency to determine the recycling rates of packaging materials, to conduct market surveys and market analyses to determine compliance, and to adopt rules implementing the provisions of this bill. The Department of Agriculture, Food and Rural Resources would have been required to enforce the provisions of the bill.

The bill also proposed to prohibit the distribution of nonreusable utensils in restaurants for use with food or beverages consumed on the premises.

**LD 1372 An Act to Establish the Environmental Appeals Board and to
Amend Licensing and Permitting Procedures within the
Department of Environmental Protection**

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GWADOSKY CAHILL P PRAY WHITCOMB		

SUMMARY

This bill would change the structure of the Department of Environmental Protection in several important ways. It would establish the Environmental Appeals Board to hear all appeals of departmental licensing and permitting decisions as well as enforcement proceedings.

The Board of Environmental Protection's role would be modified to consist of rulemaking, development of comprehensive environmental strategies and goals, and definition of certain policies.

The duties of the Commissioner of Environmental Protection would be expanded to include: deciding all licenses and permits; revoking, modifying and suspending permits; reviewing licensing categories to recommend additional permit by rule categories; and resolving disputes between staff and applicants.

In addition, this bill would change procedures for rulemaking and application processing. These changes include:

1. Increasing economic impact information requirements for departmental rulemaking;
2. Specifying appeals procedures with time limitations;
3. Imposing time limits for application processing;
4. Specifying the information that is required early in the application process to process an accepted application;
5. Imposing additional requirements on parties who are suggesting alternative proposals; and
6. Defining explicit intervenor procedures and requirements.