

# 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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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:

<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.

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TAMMARO VOSE LOOK	OTP-AM	H-518

**SUMMARY**

This bill proposed to amend the State's recycling laws to include industrial boiler combustion of waste paper as contributing to meeting municipal waste recycling goals if the waste would otherwise be landfilled and if the solid waste is incinerated as a substitute for traditional fuels such as oil, gas or biomass, which are ordinarily the primary fuels combusted in the boiler. This bill also proposed to permit the incineration of office paper and corrugated cardboard under the same circumstances. This bill also would have amended the definitions in the solid waste laws to provide that combustion in industrial boilers of solid waste generated on site for the generation of heat, steam or electricity constitutes recycling and reduction of that waste.

Committee amendment "A" (H-518) exempts industrial boilers that burn waste paper from the definition of a solid waste facility. The owners of industrial boilers that burn waste paper under the provisions of this amendment are required to report annually to the Department of Environmental Protection on the amount of waste paper burned and the amount of waste paper recycled by the facility. The exemption from the definition of a solid waste facility is repealed on July 1, 1993. This amendment also adds a fiscal note to the bill.

**LD 1675 An Act to Clarify the Laws Pertaining to Underground Oil Storage Tanks**

PUBLIC 433

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
JACQUES ANDERSON	OTP-AM	H-577

**SUMMARY**

The original bill:

1. Defined the term, "environmental assessment";
2. Provided for a waiver or extension of the deadline for removal of tanks when the owner is unable to secure financing or the services of an underground tank installer or remover;
3. Required the Department of Environmental Protection to issue a letter indicating compliance with a clean-up order once the cleanup has been completed;
4. Clarified the standards for eligibility for the Ground Water Protection Fund;
5. Provided a deadline by which the department must render its determination of an applicant's eligibility for fund coverage;
6. Provided for a cap on the Ground Water Oil Clean-up Fund;
7. Clarified that the assessment of the import fee applies only to the first intrastate and not interstate transfers of oil; and
8. Provided for reimbursement of import fees paid on interstate transfers of oil.

The committee amendment (H-577) replaces the original bill to incorporate the resolution of conflicts enacted by Public Law 1991, chapter 66. The amendment does not include the definition of environmental assessment. The amendment allows for a 12-month extension of the removal schedule for underground oil storage tanks that are not cathodically protected if a person can not get financing or has trouble getting a certified person to remove that tank. A person must demonstrate this problem by providing at least 3 letters from appropriate parties.

The amendment deletes the requirement for the Commissioner of Environmental Protection to include language that no further remedial action is required for any letter written indicating that there has been compliance with a clean-up order.

A section of the bill extending the date for tank removals to be eligible for coverage under the Ground Water Oil Clean-up Fund is removed. The amendment enacts a requirement for the Commissioner of Environmental Protection to approve or deny an application for coverage by the fund within 90 days of the submission of the completed application. Failure to act triggers automatic approval.

The Ground Water Oil Clean-up Fund is capped at \$15,000,000, although fees for a 3rd-party Commercial Risk Pool Account are excluded from the payments that would be suspended when the cap is reached. An exclusion for refined petroleum products that are exported from the State is clarified as is a requirement for reimbursement of any fees paid on documented transfers out of state.

The amendment also adds a fiscal note to the bill.

**LD 1687      An Act to Clarify the Solid Waste Landfill Remediation and Closure Program**

**PUBLIC 519**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>	
LUDWIG	OTP-AM	H-668	JACQUES
CAHILL P		S-296	
ROTONDI		S-309	BUSTIN
MICHAUD			

**SUMMARY**

This bill makes a number of changes to the solid waste landfill remediation and closure laws to clarify the statutory language and legislative intent of those laws, especially with regard to municipal eligibility for cost sharing.

Committee amendment "A" (S-296) clarifies several provisions in the bill, including clarifications to section 10 of the bill pertaining to eligibility criteria for reimbursement of landfill closure costs. The amendment adds new language to the bill clarifying that the reimbursement provisions applicable to municipalities are also applicable to sanitary districts. This amendment also restructures portions of the Maine Revised Statutes, Title 38, section 1310-F to reflect passage of Public Law 1991, chapter 66, Part A, sections 35 and 37.

House amendment "A" (H-668) makes a technical amendment to specifically name the recognized Native American entities in the State.

Senate amendment "A" (S-309) was presented on behalf of the Committee on Bills in Second Reading to correct technical errors and to prevent a conflict by incorporating changes made to the Maine Revised Statutes, Title 38, section 1310-F, in Public Law 1991, chapter 215.