

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 1689 An Act to Establish a Public Solid Waste Facilities Loan and Grant Program

CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FOSTER		S-277
LUDWIG		S-303 BUSTIN
JACQUES		
MICHAUD		

SUMMARY

This bill would establish a grant and loan program to assist municipalities and associations of municipalities such as refuse disposal districts and interlocal agreements among municipalities in development and construction of solid waste disposal facilities. The program would provide cost sharing, up to 75% state contribution, of new solid waste disposal capacity. The Maine Waste Management Agency would develop a priority system for awarding grants and loans. The Maine Municipal Bond Bank would administer the loan element of the program through a revolving loan fund.

Funding is included in a companion bill (LD 1973), a bond issue request of \$10,000,000 to support recycling grant assistance and to capitalize the grant and loan program for disposal facilities.

Committee amendment "A" (S-277) adds an appropriation and a fiscal note to the bill.

Senate amendment "A" (S-303) was presented on behalf of the Committee on Bills in Second Reading to make a technical correction. This amendment adds a necessary conjunction to a provision of law.

LD 1691 An Act to Assist Municipalities to Design Growth Management Strategies That Are Compatible with Rural Landscapes

PUBLIC 562

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BRANNIGAN	OTP-AM	S-219
JACQUES		

SUMMARY

This bill allows the University of Maine System's New England Studies Program to work, on a contractual basis through the Office of Comprehensive Land Use Planning, with rural municipalities and their advising agencies in analyzing proposed zoning standards to make sure they design the rural landscape in ways that are intended and compatible with the community's rural character. A committee amendment (S-219) adds a fiscal note to the bill.

LD 1712 An Act to Clarify Provisions of and Provide Funding for Toxics Use, Toxics Release and Hazardous Waste Reduction Programs

PUBLIC 520

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
LORD	OTP-AM	H-580
MICHAUD		S-322 MATTHEWS
KANY		
JACQUES		

SUMMARY

The original bill amends the policy statement to include a statement on cross-media pollution prevention, ensures consistent use of terminology for toxics and toxics reduction techniques and eliminates "safe disposal" as a hazardous waste reduction technique. Several definitions are repealed or amended.

The bill includes a base year for toxics use reduction, changes the dates for achievement of reduction goals, clarifies use of the terms "product" and "production unit," eliminates the exemption for licensed toxics releases and deletes provisions identifying the regulated community. Identification of and specific requirements for the regulated community are relocated. It also provides a mechanism for adjustment of the baseline figure.

The bill consolidates provisions identifying the regulated community, adds exemptions from toxics use requirements and clarifies provisions pertaining to toxics and hazardous waste subject to planning and reporting requirements.

The bill specifies timetables, corrects wording to ensure consistent use of terms referring to toxics and hazardous waste and corrects cross-references. The bill also clarifies the prohibition on cross-media pollution control.

The bill corrects an error in the length of term of the Toxics Reduction Advisory Committee and amends a duty of the committee to specify that it pertains to identifying priorities for assistance, not enforcement.

The bill increases the annual fee on toxics users, toxics releasers and hazardous waste generators to provide funds to assist in implementation of these components of the program and requires that the fees be submitted to the Department of Environmental Protection rather than the State Emergency Response Commission. The committee amendment changes the assessment of fees.

The bill amends the enforcement and penalty provisions of the law to include penalties if toxics users do not prepare reduction plans or submit reports and eliminates the criminal penalties under this chapter for hazardous waste generators.

The bill allocates funds from the Maine Hazardous Waste Fund to provide expenses for the Toxics Reduction Advisory Committee and to the Department of Environmental Protection for development of a tracking system.

The committee amendment (H-580) creates the Office of Pollution Prevention within the Department of Environmental Protection. This office has responsibility for administering and implementing the State's Toxics Use, Toxics Release and Hazardous Waste Reduction Program as well as incorporating pollution prevention concepts within the department. The amendment enacted a definition for pollution prevention.

The amendment also establishes the Maine Pollution Prevention Fund to establish and support pollution prevention programs and activities.

Other changes in the committee amendment include basing the toxics use reduction goal on statewide use of toxics in 1990, clarifying that toxics users and toxics releasers only need plan for substances they are required to report under federal law and allowing facilities to change the toxic substance used at a facility as long as there is no increase in release.

The amendment shifts responsibility for developing a unit of product to help measure compliance with reduction goals when production fluctuates from the Commissioner of Environmental Protection to each facility. The commissioner may establish guidelines to accomplish this.

The basis for assessing fees also is changed in the amendment from a per facility basis to a per chemical basis. A cap of \$1,000 per facility is proposed. The amendment changes the allocation and adds a fiscal note to the bill.

A Senate amendment (S-322) makes a technical correction to the bill.