

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.

This bill adds a representative from the Maine Waste Management Agency to the Board of Trustees of the Maine Sludge and Residuals Utilization Research Foundation.

This bill, as amended by committee amendment "A" (H-667), clarifies the Maine Waste Management Agency's authority to enter private property without permission of owner, subject to the Maine Revised Statutes, Title 4, sections 179 and 180, which govern administrative search procedures.

This bill clarifies that the agency, rather than the Office of Waste Reduction and Recycling, adopts waste reduction goals and recommends revisions of the recycling goals to the Legislature.

This bill includes composting as an eligible activity for financial assistance, since it is considered a form of recycling and also extends eligibility for grant assistance to sanitary and sewer districts.

Finally, the bill amends the host community benefits section of the solid waste laws by clarifying that the water supply monitoring requirement applies to solid waste landfills.

Committee amendment "A" (H-667) provides additional authority to the Department of Environmental Protection for the control of tire stockpiles that pose environmental and public health problems. The Maine Waste Management Agency is also authorized to undertake a tire recycling program, subject to available funding.

The committee amendment includes county commissioners, as agents for the unorganized territory within their jurisdiction, in the group of local government officials that can form regional refuse disposal districts.

The committee amendment incorporates new fees on wastes imported into the State for disposal as a means to capture that fraction of the administrative and regulatory costs incurred by the State in the disposal of imported waste that is not covered by the general revenues paid by in-state generators.

The committee amendment also eliminates a portion of the Maine Waste Management Agency review process for commercial solid waste disposal facilities. The agency currently reviews proposals under its siting guidelines. The guidelines were developed primarily for the siting of new facilities. Expansions of various publically owned disposal facilities are already exempt from this review. The committee amendment in no way lessens the level of environmental review provided by the Department of Environmental Protection under current law.

The committee amendment also extends a deadline for the establishment of a household hazardous waste program by one year.

The committee amendment clarifies provisions of existing law to reemphasize the responsibility of the Maine Waste Management Agency to develop disposal facilities for municipal solid waste that is not being burned in waste-to-energy facilities.

Finally, the committee amendment adds the necessary allocation and fiscal note to the bill.

LD 1880

An Act to Provide Tire Disposal Alternatives and Fund Waste Management Programs

ONTP

SPONSOR(S)
LORD

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have authorized programs to handle the existing and ongoing problem of waste tire disposal and provides new revenues to support existing waste management programs and the landfill siting

process. Similar provisions were incorporated in LD 1873.

The bill would have added waste collection services to the list of services subject to the sales tax, removed the current exemption in the advance disposal fee for tires and batteries sold with new cars and assessed a fee of 50¢ per ton on privately generated special waste disposed of at a landfill owned or operated by the special waste generator. The bill would also have assessed a fee of \$2 per ton on municipal solid waste and on special waste brought to Maine for incineration or landfilling. A similar provision was included in LD 1873. Finally, the bill would have allocated funds from the Solid Waste Management Fund and General Fund to screen and select sites for special waste municipal solid waste landfills. Because of the tax provisions the bill was re-referred to the Joint Standing Committee on Taxation.

**LD 1888 An Act to Ensure Continuity in Liability for Ground Water Contamination PUBLIC 490
EMERGENCY**

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
MICHAUD OTP

SUMMARY

Public Law 1991, chapter 9 extended the compliance deadlines for municipally owned salt piles and underground oil tanks owned by municipalities and schools. This bill provides that the extension of deadlines may not be construed to affect any liability for ground water contamination existing prior to the effective date of that Act.

LD 1895 An Act to Amend the Classification of the St. George River LV/WD

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
BRAWN LV/WD
WHITCOMB

SUMMARY

This bill would have authorized the rebuilding and maintenance of a dam on the St. George River in Liberty (see also LD 1920).

**LD 1920 An Act to Allow the Department of Environmental Protection to Process an Application by Ivan Davis to Rebuild a Dam on the St. George River P & S 40
EMERGENCY**

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
WHITCOMB OTP-AM H-643

SUMMARY

This bill, as replaced by committee amendment "A" (H-643), directs the Department of Environmental Protection to process an application to be submitted by Ivan Davis for the rebuilding and maintenance of a dam on the St. George River in Liberty. It is the intent of the Legislature that the application be processed only if it proposes a project substantially identical to the project proposed by Ivan Davis to the department in an application submitted on or about November 30, 1989. The project is to be evaluated under Class "A" water quality standards.

2982GEA