

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
ENERGY AND NATURAL RESOURCES

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

JULY 1993

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

CARRIED OVER

ONTP

ENACTMENT FAILED

INDEF PP

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Bill carried over to Second Session

Ought Not to Pass report accepted

Bill failed to get majority vote

Bill Indefinitely Postponed

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference formed but unable to agree

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

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.

If you have any suggestions or comments on these summaries, please let us know.

4693NRG

LD 1019 An Act to Establish a Monthly Average Dissolved Oxygen Standard for Class C Waters

ONTP

SPONSOR(S)
ANDERSON
VOSE

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have created a standard for the 30-day average dissolved oxygen concentration for Class C waters of 5.5 parts per million. The regional office of the U.S. Environmental Protection Agency objected to this proposal as being inconsistent with the requirements of the federal Clean Water Act. The committee unanimously recommended an "ought not to pass" report.

LD 1023 An Act to Amend and Clarify the Solid Waste Management Laws

PUBLIC 310

SPONSOR(S)
MARSH
LUDWIG

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-298
H-452 JACQUES

SUMMARY

This bill proposed several changes to the solid waste laws affecting the Maine Waste Management Agency.

Committee amendment "A" (H-298) replaced the bill.

Part A of the amendment revises the toxics reduction in packaging laws to require that manufacturers furnish certificates of compliance to purchasers instead of to the agency and to establish a 6-year exemption for packaging that can not meet the statutory concentration levels because of the addition of post-consumer materials. Part A also repeals a transition provision that is no longer applicable and repeals the provisions pertaining to a voluntary waste reduction and recycling labeling program. This part also establishes that a waste reduction or recycling marketing and advertising claim made in violation of Federal Trade Commission guidelines is a violation of the Maine Unfair Trade Practices Act.

Part B amends the host community benefits provisions of the Maine Revised Statutes, Title 38, chapter 24, subchapter V to limit its application to solid waste disposal facilities owned or operated by the Maine Waste Management Agency.

Part C clarifies that the imported municipal solid waste fee is assessed on municipal solid waste going to commercial solid waste disposal facilities. This part also clarifies the fee payment procedure for waste delivered to solid waste disposal facilities and makes that procedure retroactive to September 30, 1989, the effective date of the laws governing waste disposal fees and contracts under Title 38, chapter 24, subchapter VII.

House amendment "A" (H-452) removes a retroactivity provision in Part C, since the section affected is merely a clarification of existing law.

LD 1030 An Act to Clarify Air Emission Standards

ONTP

SPONSOR(S)
GOULD R A

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

The bill would have prohibited the Board of Environmental Protection from adopting California's low-emission vehicle program and California's clean fuels program. See also LD 758.

LD 1064 An Act Concerning Plastic Holding Devices Used in Packaging

PUBLIC 341

SPONSOR(S)
BALDACCI
ALIBERTI

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-228

SUMMARY

This bill would have prohibited the sale of plastic holding devices that fail to decompose by photodegradation, chemical degradation or biodegradation within 6 months after exposure to the natural elements or are not reusable or recyclable. The bill would also have required manufacturers of holding devices that were not prohibited to submit a statement to the Commissioner of Agriculture, Food and Rural Resources that specifies the time it takes for the holding device to degrade or a plan that specifies how the holding devices will be reused or recycled.

Committee amendment "A" (S-228) replaced the bill. This amendment strikes the provision in law that would have prohibited the sale of products in containers connected by plastic rings or other plastic holding devices on and after October 1, 1993 and allows the sale of those products to continue until 90 days after adjournment of the Second Regular Session of the 116th Legislature. On that date, the wholesale sale of those products is prohibited. All retail sales of those products is prohibited 180 days after the adjournment of the Second Regular Session of the 116th Legislature. The amendment includes an exemption that allows pharmaceuticals, infant formula and medical food products to be sold in containers connected by plastic rings or other plastic holding devices.

The amendment also allows manufacturers and distributors of products sold in containers connected by plastic holding devices and anyone who has developed, or is developing, alternatives to plastic holding devices to report to the Joint Standing Committee on Energy and Natural Resources by March 1, 1994.

The amendment also allows the Joint Standing Committee on Energy and Natural Resources to report out legislation to the Second Regular Session of the 116th Legislature on any matter pertaining to plastic holding devices.

LD 1067 An Act to Allow the Use of Polystyrene Containers by Public Institutions under Certain Circumstances

PUBLIC 323

SPONSOR(S)
BERUBE

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED
S-211

SUMMARY

This bill would have allowed schools or school administrative districts with an active polystyrene recycling program to use polystyrene containers in their food service programs.

Committee Amendment "A" (S-211) replaces the bill. It permits food services at public institutions to serve meals in or on polystyrene containers, provided they recycle the containers following use.