

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
NATURAL RESOURCES

AUGUST 1995

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

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

SPONSOR(S)JACQUES
ADAMS**COMMITTEE REPORT**

OTP-AM

AMENDMENTS ADOPTED

H-108

SUMMARY

This bill clarifies existing law regarding setbacks for municipal solid waste transfer stations. Legislation enacted in 1993 provided that transfer stations on islands are not subject to setback requirements. The law has been interpreted to mean that only statutory setbacks are nullified. This bill makes clear that all setbacks, statutory and regulatory, do not apply to the location of transfer stations on islands.

The bill also changes language providing that the law requiring transfer stations to be set back at least 250 feet from abutting property boundaries does not apply if the use of the abutting property is compatible with the location of the transfer station. Current law refers to "conforming uses" rather than "compatible uses." Since the term "conforming use" has specific meaning in zoning law, and that meaning is not relevant in this context, the more appropriate term "compatible use" has been added.

COMMITTEE AMENDMENT "A" (H-108) further clarifies the setback requirement for the handling site of a transfer station on an island and provides that the Department of Environmental Protection must find setbacks from property boundaries, residences and public roads to be reasonable and compatible if all abutting property owners provide written approval of the location of the handling site. The department would continue to make an independent evaluation of the reasonableness of setbacks from active or closed landfills.

SPONSOR(S)

WHITCOMB

COMMITTEE REPORTOTP-AM A
OTP-AM B
ONTP C**AMENDMENTS ADOPTED**H-487
S-373 HANLEY**SUMMARY**

This bill abolishes the Maine Waste Management Agency. It also proposed to transfer responsibility for recycling grants to the Department of Economic and Community Development.

COMMITTEE AMENDMENT "A" (H-487), the majority report of the committee, replaces the bill. It makes the following changes in the laws governing solid waste management:

1. It abolishes the Maine Waste Management Agency effective July 1, 1995 and transfers its essential services and responsibilities to the State Planning Office. Those responsibilities include preparation and revision of the state solid waste management and recycling plan; collection and analysis of municipal solid waste management reports and recycling rates; provision of technical and financial assistance to municipalities in managing solid waste, including awarding grants for recycling and composting programs; provision of market development and market assistance programs; and siting, ownership and operation of such state solid waste disposal facilities as are needed;
2. It ends eligibility for the solid waste reduction investment tax credit with equipment purchased before July 1, 1995;