

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

COMMITTEE AMENDMENT "A" (H-277) replaces the bill. The amendment allows a person to operate an elementary neutralization unit without obtaining a hazardous waste facility license and to collect and handle hazardous waste without meeting reporting requirements if the operation complies with laws applicable to those processes and the wastes are discharged in a contained area. The amendment also adds an emergency preamble, an emergency clause and a fiscal note to the bill.

LD 674 An Act to Create a Buffer Strip Requirement for the ONTP
Location of Gravel Pits

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MARTIN	ONTP	

SUMMARY

This bill would have reduced the required buffer strip between a borrow pit and property lines from 150 feet to 100 feet and allowed for the elimination of the buffer strip between borrow pits of abutting owners in certain circumstances. The bill would have also required that all property lines and natural buffer strips be identified in the field by markings such as metal posts, stakes, flagging or blazed trees.

See LD 1423.

LD 716 An Act to Repeal the Motor Vehicle Emission Inspection PUBLIC 49
Program

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP-AM	H-144

SUMMARY

This bill, which was initiated by citizen petition, repeals the Motor Vehicle Emission Inspection Program.

COMMITTEE AMENDMENT "A" (H-144) adds a fiscal note to the bill.

See also LD 48.

LD 759 An Act to Prevent and Abate Uncontrolled Tire Stockpiles PUBLIC 314

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
JACQUES	OTP-AM	H-409 H-486 GOULD

SUMMARY

This bill proposed to give a municipality credit toward its recycling goal for used motor vehicle tires that are used as fuel in an industrial boiler, if these tires would otherwise be placed in or stockpiled at a landfill, there is not a reasonably available market in the State for recycling these tires and they are incinerated as a substitute for or supplement to fossil or biomass fuels that constitute the primary fuels incinerated in the industrial boiler. LD 382 achieved this change.

COMMITTEE AMENDMENT "A" (H-409) replaces the bill. The amendment provides that a person may not dispose, store or process tires at a site or facility unless the site or facility is licensed, exempt from licensing or otherwise authorized to dispose, store or process tires. The Department of Environmental Protection is required to make available to any interested party a list of authorized facilities. The amendment also authorizes the Office of the State Fire Marshal to use its enforcement powers to protect the public from fire dangers posed by uncontrolled tire stockpiles and authorizes the Department of

Environmental Protection to consult with the Office of the State Fire Marshal regarding fire abatement and control of tire stockpiles.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-486) adds uncontrolled tire stockpiles to the list of sites and facilities to which a person may not add used motor vehicle tires.

LD 770 **An Act to Return to Municipalities Control over Permits by Rule Currently Implemented by the Department of Environmental Protection** **ONTP**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
RICE ONTP

SUMMARY

This bill would have made municipalities the sole enforcement authority for civil violations of permit-by-rule standards.

LD 773 **An Act to Amend the Laws Pertaining to the Control of Phosphorus Transport in Watersheds** **ONTP**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
LORD ONTP

SUMMARY

This bill would have required that any method developed to determine phosphorus concentration in great pond watersheds incorporate a methodology that accounts for the distance of a subdivision from the great pond in addition to the characteristics of land that influence a subdivision's impact on phosphorus concentrations.

LD 776 **Resolve, to Require the Department of Environmental Protection to Restore Daigle Pond** **ONTP**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
MARTIN ONTP
PARADIS

SUMMARY

This resolve would have required the Department of Environmental Protection to use funds from the Lake Restoration and Protection Fund to implement the proposal of the Committee for Daigle Pond Restoration to restore Daigle Pond in the Town of New Canada.

LD 817 **An Act to Establish a System of Recycling Credits for Processed Wood Products** **ONTP**

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
RICE ONTP

SUMMARY

This bill would have allowed the use of processed wood products as mulch or as fuel for meeting recycling goals established by law.