

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:

CARRIED OVER	<i>Bill carried over to Second Session</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
CONF CMTE UNABLE TO AGREE	<i>Committee of Conference unable to agree; bill died</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
DIED ON ADJOURNMENT	<i>Action incomplete when session ended; bill died</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
FAILED EMERGENCY ENACTMENT	<i>Emergency bill failed to get 2/3 vote</i>
FAILED ENACTMENT	<i>Bill failed to get majority vote</i>
FAILED MANDATE ENACTMENT	<i>Bill imposing local mandate failed to get 2/3 vote</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
ONTP	<i>Ought Not to Pass report accepted</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
VETO SUSTAINED	<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" (S-169) broadens the scope of the study from environmental standards to environmental requirements, whether the requirements are standards, interpretations or other requirements. It also requires the study to include examination of state requirements that are inconsistent with federal requirements. Finally, the amendment adds a fiscal note and changes the title of the resolve to clarify that it applies only to environmental regulation of the paper industry.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-331) adds an allocation section to the resolve to authorize expenditures of funds from private or public sources in the event that the Task Force to Study Environmental Regulation Relating to the Paper Industry raises funds from outside sources.

**LD 1122 Resolve, Urging Efforts to Enhance Opportunities for
Businesses that Use Recycled Materials as Raw Materials**

**RESOLVE 42
EMERGENCY**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TREAT	OTP-AM MAJ	H-550
	ONTP MIN	S-344 CARPENTER

SUMMARY

This bill proposed to change the date by which 50% of municipal solid waste must be recycled from January 1, 1995 to January 1, 1997, required the Maine Waste Management Agency to update its market development and marketing plan every 2 years and required the plan to include a process for identifying businesses that need or could use recycled materials. The bill would have also required the agency to search out businesses that need or could use recycled materials and to identify strategies to match the needs of those businesses with the untapped capacity of municipalities and other waste producers. The bill would have added metal, glass and plastics to the list of materials that must be recycled by state government, required the Maine Waste Management Agency to take into consideration the volume and type of materials recycled by municipalities when considering whether a municipality has made reasonable progress in recycling. The bill would have removed the law requiring the State to reimburse bottle bill deposit initiators for overredemption of bottle deposits. The bill also clarified the Maine Waste Management Agency's duty to develop and implement a statewide system for collecting and disposing of household hazardous waste, and provided funding for the program by increasing the percentage of unredeemed bottle deposits payable to the State.

COMMITTEE AMENDMENT "A" (H-550) replaces the bill with a resolve requiring the successor to the Maine Waste Management Agency, in structuring its efforts and assigning responsibilities to staff, to include as a goal the matching of business that use recycled materials as raw material with entities that produce recyclable materials.

SENATE AMENDMENT "A" (S-334) makes a technical change to add an emergency clause to the bill.

LD 1154 An Act to Continue the State's Dioxin Monitoring Program

PUBLIC 223

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BERRY	OTP-AM	H-250

SUMMARY

This bill proposed to extend the dioxin monitoring program to include those facilities that are known to have dioxin in their effluent but are not presently included in the monitoring location selection criteria. The bill proposed to allow the State to directly assess industrial facilities that are known to discharge dioxin to public waste water treatment facilities for the program costs. The bill proposed to extend the dioxin monitoring program for another 5 years.

COMMITTEE AMENDMENT "A" (H-250) strikes and replaces the bill. This amendment:

1. Continues the dioxin monitoring program through 1997;
2. Requires the Commissioner of Environmental Protection to submit the monitoring plan, including the list of facilities to be monitored, to the surface water monitoring technical advisory group for review and advice. The commissioner must notify the owners or operators of selected facilities of their inclusion in the plan at least 30 days prior to the submission of the plan to the advisory group;
3. Preserves that portion of the bill that allows the commissioner to assess the costs of sample collection and analysis against an industrial generator that discharges into a publicly owned treatment works. This amendment clarifies that the assessment may only be on a generator if the generator is known or likely to be discharging dioxin into the treatment facility. The amendment also clarifies that if the assessment is on the generator, nonpayment by the generator does not jeopardize the discharge license of the treatment works; and
4. Adds an allocation section which allocates \$168,000 for the program from the Maine Environmental Protection Fund. This sum represents the projected resources from the assessments made under the program.

LD 1159 An Act to Create a Tire Emergency Readiness Fund ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SPEAR	ONTP	

SUMMARY

This bill would have provided that 20% of the recycling assistance fee collected on tires must be paid to the Tire Emergency Readiness Fund to be used by the Commissioner of Public Safety to reimburse municipalities for the approved cost of fighting fires at tire disposal sites.

**LD 1241 An Act to Repeal the 100-foot Setback from Landfills
for Recycling Facilities ONTP**

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PERKINS	ONTP	

SUMMARY

This bill would have prohibited rules requiring transfer facilities, including recycling facilities, to be located at least 100 feet from the solid waste boundary of an active or closed solid waste disposal facility.

LD 1243 An Act to Reestablish the Great Pond Task Force PUBLIC 345

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
JACQUES	OTP-AM	H-514

SUMMARY

This bill reestablishes the Great Pond Task Force with a repeal date of December 31, 1998.