

MAINE STATE LEGISLATURE

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**STATE OF MAINE
117TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
NATURAL RESOURCES**

JUNE 1996

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Sen. W. John Hathaway
Sen. Richard P. Ruhlin*

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**ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

LD 1651 An Act Concerning the Seasonal Sale of Reformulated Gasoline

P & S 60

Sponsors(s)
POULIN
LORD

Committee Report
OTP-AM

Amendments Adopted
H-741

LD 1651 proposed to adopt a seasonal reformulated gasoline program for the State of Maine, under which reformulated gasoline would be required during the 4-month ozone season (mid-May through mid-September), and prohibited during the remaining months, unless federal law required its use.

Committee Amendment "A" (H-741) replaced the bill. It proposed to require the Commissioner of Environmental Protection to consult with legislators, the United States Environmental Protection Agency and interested parties in the development of recommendations regarding seasonal sale and geographic distribution of reformulated gasoline in the State.

Enacted law summary

Private and Special Law 1995, chapter 60 requires the Commissioner of Environmental Protection to consult with legislators, the United States Environmental Protection Agency and interested parties in the development of recommendations regarding seasonal sale and geographic distribution of reformulated gasoline in the State.

LD 1658 An Act to Encourage Tire Stockpile Abatement

PUBLIC 578
EMERGENCY

Sponsors(s)
GOULD

Committee Report
OTP-AM

Amendments Adopted
H-768

LD 1658 proposed to amend the law to require the Department of Environmental Protection to deposit into the Tire Management Fund the entire amount budgeted by the Legislature for tire stockpile abatement and to require the department to use that money within 2 years exclusively for the removal of tires from uncontrolled stockpiles.

Committee Amendment "A" (H-768) proposed to replace the bill. It proposed to direct the Department of Environmental Protection to cooperate with tire-related industries and with the State Planning Office, the Department of Economic and Community Development, the Department of the Attorney General, the Finance Authority of Maine, the Maine State Police, the Maine National Guard and the Department of Corrections to develop a program to reduce the size and number of used tire stockpiles in the State. It also required the Department of Economic and Community Development to promote beneficial reuse of used tires by fostering a favorable business climate for businesses currently assisting in the processing of waste tires and by providing for the introduction of viable new technology to convert waste tires to commodities.

Enacted law summary

Public Law 1995, chapter 578 directs the Department of Environmental Protection to cooperate with tire-related industries and with the State Planning Office, the Department of Economic and Community Development, the Department of the Attorney General, the Finance Authority of Maine, the Maine State Police, the Maine National Guard and the Department of Corrections to

develop a program to reduce the size and number of used tire stockpiles in the State. It also requires the Department of Economic and Community Development to promote beneficial reuse of used tires by fostering a favorable business climate for businesses currently assisting in the processing of waste tires and by providing for the introduction of viable new technology to convert waste tires to commodities.

Chapter 578 was enacted as an emergency measure effective March 29, 1996.

**LD 1659 An Act to Allow Municipalities and Regions to Include
Beneficial Use of Waste Originated in Their Jurisdiction As
Credit in Demonstrating Recycling Progress**

PUBLIC 552

<u>Sponsors(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOULD	OTP-AM MAJ ONTP MIN	H-739

Current law categorizes incineration of waste as recycling only if the waste is burned as a fuel source substitute in industrial boilers; the waste material would have otherwise been stockpiled or placed in a landfill; and the State Planning Office has determined that there is no reasonably available recycling market for the waste.

LD 1659 proposed to remove those limitations on the classification of incineration as recycling and to clarify that individual municipalities and regions may take recycling credit for this use of waste in determining whether they have made reasonable progress toward the state's 50% recycling goal. Current law credits incineration as recycling only in calculating the statewide recycling percentage.

Committee Amendment "A" (H-739) replaced the bill. It proposed to allow municipalities to count certain types of incineration as recycling in determining whether the municipality is making reasonable progress toward the State recycling goal. It proposed to add incineration of waste plastics and waste wood and incineration at waste-to-energy plants to the list of activities counted as recycling. It proposed to retain some of the conditions under which incineration counts as recycling. The State Planning Office would have to determine that no reasonably available market exists for the waste, and the waste must be burned as a substitute for fossil fuel, although the fossil fuel need not be the primary fuel in the incinerator.

Enacted law summary

Public Law 1995, chapter 552 allows a municipality to count certain types of incineration as recycling in determining whether the municipality is making reasonable progress toward the State recycling goal. It also adds incineration of waste plastics and waste wood and incineration at waste-to-energy plants to the list of activities counted as recycling. It retains some of the conditions under which incineration counts as recycling. The State Planning Office would have to determine that no reasonably available market exists for the waste, and the waste must be burned as a substitute for fossil fuel, although the fossil fuel need not be the primary fuel in the incinerator.