

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON NATURAL RESOURCES**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

CON RES XXX.....	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....	House & Senate disagree; bill died
DIED IN CONCURRENCE.....	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....	Action incomplete when session ended; bill died
EMERGENCY.....	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE.....	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE.....	Bill failed to get majority vote
FAILED MANDATE ENACTMENT.....	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY.....	Ruled out of order by the presiding officers; bill died
INDEF PP.....	Bill Indefinitely Postponed
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Natural Resources

judiciary matters on activities and reviews undertaken by the department in connection with issues relating to mold and excess moisture in buildings.

**LD 1908**

## **An Act To Implement Recommendations of the Blue Ribbon Commission on Solid Waste Management**

**PUBLIC 414**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-238

This bill implements recommendations of the Blue Ribbon Commission on Solid Waste Management.

It amends the provisions relating to a public benefit determination by requiring state-owned disposal facilities to provide a substantial public benefit and by authorizing the Department of Environmental Protection to revise a public benefit determination if a change in the underlying facts or circumstances upon which the determination was based has occurred or is proposed.

It prohibits state-owned solid waste disposal facilities from accepting waste that is not generated within the State.

It requires the Department of Environmental Protection to submit recommendations on the sources of revenue from construction and demolition debris recycling and incineration that are sufficient to fund ambient air quality monitoring and landfill oversight. The report must be submitted to the Joint Standing Committee on Natural Resources by January 15, 2008, and the committee is authorized to submit legislation relating to the recommendations to the Second Regular Session of the 123rd Legislature.

### **Committee Amendment "A" (S-238)**

This amendment replaces the bill. The amendment exempts from the provisions of the bill relating to public benefit determinations those solid waste disposal facilities that are owned by the State and currently in operation or to an expansion of those facilities. It defines "waste generated within the State" and "bypass."

It clarifies the reporting requirement in the bill to require the Department of Environmental Protection to submit a report on funding options for the State's solid waste management program, including recommendations concerning potential sources of revenue from fees relating to construction and demolition debris to fund monitoring and compliance activities.

### **Enacted Law Summary**

Public Law 2007, chapter 414 requires a solid waste disposal facility owned by the State, other than a facility that is currently in operation or to an expansion of that facility, to provide a substantial public benefit. It authorizes the Department of Environmental Protection to revise a public benefit determination if a change in the underlying facts or circumstances upon which the determination was based has occurred or is proposed. It prohibits state-owned solid waste disposal facilities from accepting waste that is not waste generated within the State. It defines "waste generated within the State" and "bypass."

Chapter 414 also requires the Department of Environmental Protection to submit a report on funding options for the State's solid waste management program, including recommendations concerning potential sources of revenue from fees relating to construction and demolition debris to fund monitoring and compliance activities.