

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
NATURAL RESOURCES

JULY 1997

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*Sen. John M. Nutting*

*Sen. Jeffrey H. Butland*

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

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 Regular 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 &amp; Senate disagree; bill died</i>                                  |
| <i>DIED IN CONCURRENCE</i> .....                      | <i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i> ..... | <i>Emergency bill failed to get 2/3 vote</i>                                   |
| <i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i> .....                                   | <i>Committee report Ought To Pass In New Draft</i>                             |
| <i>OTP ND/NT</i> .....                                | <i>Committee report Ought To Pass In New Draft/New Title</i>                   |
| <i>P&amp;S XXX</i> .....                              | <i>Chapter # of enacted Private &amp; 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>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
 Offices Located in the State House, Rooms 101/107/135

**Committee Amendment "A" (H-95)**, the minority report of the Joint Standing Committee on Natural Resources, proposed to add an appropriation and fiscal note to the bill. This amendment was not adopted.

**LD 592**                      **An Act to Amend the Laws Regulating the Installation and Inspection of Septic Systems**                      **PUBLIC 106**

| <u>Sponsor(s)</u>  | <u>Committee Report</u>          | <u>Amendments Adopted</u> |
|--------------------|----------------------------------|---------------------------|
| BROOKS<br>CATHCART | OTP-AM    MAJ<br>ONTP        MIN | H-96                      |

LD 592 proposed to require that a subsurface waste water disposal system may not be operated until the municipality has verified that the system was actually constructed according to the plan originally submitted for construction.

**Committee Amendment "A" (H-96)** proposed to replace the bill. The amendment proposed to increase the maximum fee that may be charged for a nonengineered subsurface waste water disposal system permit from \$60 to \$100. The amendment also proposed to add an allocation and a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 106 increases the maximum fee that may be charged for a nonengineered subsurface waste water disposal system permit from \$60 to \$100.

**LD 599**                      **An Act to Eliminate Fees on the Disposal of Municipal Solid Waste Incinerator Ash**                      **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CLEVELAND         | ONTP                    |                           |

LD 599 proposed to eliminate the \$2 per ton fee on disposal of municipal solid waste ash at commercial, municipal or regional association landfills.

**LD 636**                      **An Act to Cap the Fees Responsible Parties Pay for the Transportation of Hazardous Waste from Superfund Sites**                      **PUBLIC 258**

| <u>Sponsor(s)</u> | <u>Committee Report</u>          | <u>Amendments Adopted</u> |
|-------------------|----------------------------------|---------------------------|
| CAMPBELL          | OTP-AM    MAJ<br>ONTP        MIN | H-276                     |

LD 636 proposed to provide an incentive for the removal of hazardous waste transported as a result of remedial or corrective actions or facility closures by waiving the fees on the transportation of hazardous waste.

**Committee Amendment "A" (H-276)**, the majority report of the Joint Standing Committee on Natural Resources, proposed to change the title of the bill. The amendment proposed to cap the fees that may be required for hazardous waste transported off a federally declared Superfund site that was added to the national priorities list by the United States Environmental Protection Agency on or before January 1, 1997 at \$200,000 per site in any calendar year. The amendment also proposed to add a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 258 caps the fees that may be required for hazardous waste transported off a federally declared Superfund site that was added to the national priorities list by the United States Environmental Protection Agency on or before January 1, 1997 at \$200,000 per site in any calendar year.

**LD 648**                      **Resolve, to Allow Donald Hebert to Retain a Certain Structure in Exchange for the Removal of Another Structure**                      **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| AHEARNE           | ONTP      MAJ           |                           |
| PARADIS           | OTP      MIN            |                           |

LD 648 proposed to allow Donald Hebert to retain a sun room attached to his residence in the Town of Madawaska in violation of the town's water setback requirements. In exchange for retaining the sun room, the resolve would have required Donald Hebert to remove a storage shed located on the same property and restore the area of the shed to natural vegetation.

**LD 658**                      **Resolve, Requiring the Department of Human Services to Establish a Maximum Contaminant Level for MTBE**                      **RESOLVE 58**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TRIPP             | OTP-AM                  | H-386                     |
| CAREY             |                         |                           |

LD 658 proposed to establish in statute a maximum allowable contaminant level for all public water supplies for methyl tert-butyl ether of five parts per billion.

**Committee Amendment "A" (H-386)** proposed to replace the bill and change the title. The amendment, a resolve, proposed to require the Commissioner of Human Services to adopt rules establishing a maximum contaminant level for methyl tert-butyl ether, MTBE. The rules would be major substantive rules and would have to be submitted to the Legislature for review no later than February 1, 1998.

***Enacted law summary***