

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
118TH LEGISLATURE

FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
NATURAL RESOURCES

JULY 1997

**MEMBERS:**

*Sen. Sharon Anglin Treat, Chair*

*Sen. John M. Nutting*

*Sen. Jeffrey H. Butland*

*Rep. G. Steven Rowe, Chair*

*Rep. David C. Shiah*

*Rep. Thomas Bull*

*Rep. Scott W. Cowger*

*Rep. Sharon Libby Jones*

*Rep. Linda Rogers McKee*

*Rep. Edward L. Dexter*

*Rep. Roy I. Nickerson*

*Rep. June C. Meres*

*Rep. Clifton Foster*

*Rep. Paul Bisulca*

**Staff:**

*Amy B. Holland, Legislative Analyst*

*Patrick T. Norton, Principal Analyst*

*Office of Policy and Legal Analysis*

*Room 101/107/135, 13 State House Station*

*Augusta, ME 04333*

*(207)287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
 Telephone: (207) 287-1670  
 Fax: (207) 287-1275

**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

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*

Resolve 1997, chapter 58 requires the Commissioner of Human Services to adopt rules establishing a maximum contaminant level for methyl tert-butyl ether, MTBE. The rules are major substantive rules and must be submitted to the Legislature for review no later than February 1, 1998.

**LD 660**                      **An Act to Opt out of the Federal Requirement to Use Reformulated Fuel**                      **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRIPP CAREY		

LD 660 proposes to provide that a state or federal authority may not mandate any fuel for use, nor prohibit the sale of any fuel that is sold in any other state of the United States.

It proposes to prohibit a state or federal authority from implementing any automobile testing policy, process or program without state legislative approval.

It proposes to require sellers of gasoline or fuel to post material safety data sheets revealing all known chemical components of those fuels.

It proposes to require that all money collected by the State on behalf of the Federal Government be placed in an escrow account and withheld until the total cumulative amount withheld from the Federal Government equals the total amount of financial sanctions, penalties or withholding of funds.

It proposes to instruct the Governor, state representatives, members of the judiciary, constitutional officers and state employees to resign if they fail or refuse to implement the requirements of the bill.

It proposes to provide that no aspect of Section 7545(k) of the federal Clean Air Act may be implemented in this State without state legislative approval.

This bill has been carried over to the Second Regular Session of the 118th Legislature.

**LD 748**                      **An Act to Prohibit Residential Burning of Domestic, Household Trash**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	ONTP	

LD 748 proposed to prohibit all residential burning of household trash.

See also LD 967.