

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

LD 618 An Act to Change the Definitions of "River," "Stream" and "Brook" in the Environmental Laws

PUBLIC 92

SPONSOR(S)
MARSHALL

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-107

SUMMARY

The bill makes minor changes in the definition of "stream" in the mandatory shoreland zoning laws and proposed to amend the definition of "river, stream or brook" in the natural resources protection laws.

COMMITTEE AMENDMENT "A" (H-107) strikes the provision of the bill relating to the definition of "river, stream or brook" in the natural resources protection laws. The amendment repeals and replaces the current definition.

Under the current natural resources protection laws, "river, stream or brook" is defined by reference to certain physical characteristics such as the presence of aquatic vegetation and a channel bed devoid of top soil. Under this amendment, "river, stream or brook" is defined as a channel between defined banks and the associated flood plain. "Channel" is further defined by reference to a list of characteristics both physical and cartographic. Under this amendment, a channel exists only if at least 2 of these characteristics are present.

LD 625 Resolve, to Reduce the Economic Impacts of the Clean Air Act on Maine's Citizens and Businesses

RESOLVE 43
EMERGENCY

SPONSOR(S)
GOULD

COMMITTEE REPORT
OTP-AM MAJ
OTP-AM MIN

AMENDMENTS ADOPTED
H-608
S-351 BEGLEY

SUMMARY

The federal Clean Air Act, 42 United States Code, Section 7511c created the ozone transport region, which includes the 12-state region from Virginia to Maine and the District of Columbia. The federal Clean Air Act imposes stringent control requirements on certain sources of ozone precursors throughout the ozone transport region. The federal Clean Air Act also allows the governor of any state in the ozone transport region to petition the United States Environmental Protection Agency to remove some or all of the state from the ozone transport region if the agency finds that ozone transport region controls in these areas will not significantly contribute to attainment of the ozone standard.

This resolve proposed to require the Department of Environmental Protection to prepare a petition, for the Governor's signature, sufficient to satisfy the United States Environmental Protection Agency's requirements to remove the State from the ozone transport region.

This resolve would have also required the Department of Environmental Protection to prepare requests to the United States Environmental Protection Agency to redesignate to attainment for ozone all areas of the state eligible for such redesignation and all remaining areas of the State to rural transport areas, to the extent those areas qualify for that designation under the federal Clean Air Act.

COMMITTEE AMENDMENT "A" (H-608), the majority report of the committee, replaces the resolve. Instead of immediately requesting removal of the entire State from the ozone transport region, the amendment requires the Department of Environmental Protection to prepare a petition to immediately remove portions of the State that are currently classified as attainment or unclassifiable areas.

The amendment also allows the Department of Environmental Protection additional time to prepare documentation and gather information to prepare requests to redesignate counties currently designated as moderate and marginal nonattainment as attainment or rural transport areas, if those counties are eligible for redesignation. The amendment requires the department to make a progress report on redesignation requests by October 1, 1995 and to submit the petitions to EPA by January 1, 1996.

SENATE AMENDMENT "A" (S-351) corrects dates in the emergency preamble.

**LD 639 An Act to Modify the Motor Vehicle Emission Inspection Requirement for Vehicle Registration PUBLIC 6
EMERGENCY**

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
CAREY

SUMMARY

This bill defers until May 1, 1995 the requirement that a motor vehicle owner present a certificate of compliance or waiver under the motor vehicle emission inspection program in order to register the motor vehicle. The bill was enacted without reference to committee.

LD 646 An Act to Reinstate the Laws Governing Dam Abandonment CARRIED OVER

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
HANLEY

SUMMARY

This bill proposes to reinstate the laws governing the abandonment of dams. During the 1995 interim, at the request of the committee, staff will be undertaking a study of certain issues related to dams.

LD 651 An Act to Grandfather Certain Dwellings within Mandatory Shoreland Zoning ONTP

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
GREENLAW ONTP

SUMMARY

This bill would have allowed a person who uses a dwelling within the shoreland zone on a seasonal basis to use that dwelling year-round without obtaining a plumbing permit if the dwelling was legally used as a year-round dwelling prior to 1977, when conversion permits were first required.

**LD 656 An Act to Reduce Paperwork and Promote On-site Elementary Neutralization of Low-hazard Wastes PUBLIC 241
EMERGENCY**

SPONSOR(S) COMMITTEE REPORT AMENDMENTS ADOPTED
JACQUES OTP-AM H-277
LORD

SUMMARY

This bill proposed to allow companies to treat corrosive liquids that are generated on-site in tanks, containers and other devices without meeting the requirements imposed on hazardous waste. These materials are defined as hazardous waste only because they are corrosive. This bill would have replaced recently adopted requirements with an exemption for corrosive substances identical to that found in current federal regulations.