

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

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)
CAREY

COMMITTEE REPORT

AMENDMENTS ADOPTED

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)
HANLEY

COMMITTEE REPORT

AMENDMENTS ADOPTED

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)
GREENLAW

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

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)
JACQUES
LORD

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-277

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.

COMMITTEE AMENDMENT "A" (H-277) replaces the bill. The amendment allows a person to operate an elementary neutralization unit without obtaining a hazardous waste facility license and to collect and handle hazardous waste without meeting reporting requirements if the operation complies with laws applicable to those processes and the wastes are discharged in a contained area. The amendment also adds an emergency preamble, an emergency clause and a fiscal note to the bill.

**LD 674 An Act to Create a Buffer Strip Requirement for the
Location of Gravel Pits**

ONTP

SPONSOR(S)
MARTIN

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have reduced the required buffer strip between a borrow pit and property lines from 150 feet to 100 feet and allowed for the elimination of the buffer strip between borrow pits of abutting owners in certain circumstances. The bill would have also required that all property lines and natural buffer strips be identified in the field by markings such as metal posts, stakes, flagging or blazed trees.

See LD 1423.

**LD 716 An Act to Repeal the Motor Vehicle Emission Inspection
Program**

PUBLIC 49

SPONSOR(S)

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-144

SUMMARY

This bill, which was initiated by citizen petition, repeals the Motor Vehicle Emission Inspection Program.

COMMITTEE AMENDMENT "A" (H-144) adds a fiscal note to the bill.

See also LD 48.

LD 759 An Act to Prevent and Abate Uncontrolled Tire Stockpiles

PUBLIC 314

SPONSOR(S)
JACQUES

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-409
H-486 GOULD

SUMMARY

This bill proposed to give a municipality credit toward its recycling goal for used motor vehicle tires that are used as fuel in an industrial boiler, if these tires would otherwise be placed in or stockpiled at a landfill, there is not a reasonably available market in the State for recycling these tires and they are incinerated as a substitute for or supplement to fossil or biomass fuels that constitute the primary fuels incinerated in the industrial boiler. LD 382 achieved this change.

COMMITTEE AMENDMENT "A" (H-409) replaces the bill. The amendment provides that a person may not dispose, store or process tires at a site or facility unless the site or facility is licensed, exempt from licensing or otherwise authorized to dispose, store or process tires. The Department of Environmental Protection is required to make available to any interested party a list of authorized facilities. The amendment also authorizes the Office of the State Fire Marshal to use its enforcement powers to protect the public from fire dangers posed by uncontrolled tire stockpiles and authorizes the Department of