

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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second 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 & Senate disagree; bill died</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</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<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

COMMITTEE AMENDMENT "A" (H-250) strikes and replaces the bill. This amendment:

1. Continues the dioxin monitoring program through 1997;
2. Requires the Commissioner of Environmental Protection to submit the monitoring plan, including the list of facilities to be monitored, to the surface water monitoring technical advisory group for review and advice. The commissioner must notify the owners or operators of selected facilities of their inclusion in the plan at least 30 days prior to the submission of the plan to the advisory group;
3. Preserves that portion of the bill that allows the commissioner to assess the costs of sample collection and analysis against an industrial generator that discharges into a publicly owned treatment works. This amendment clarifies that the assessment may only be on a generator if the generator is known or likely to be discharging dioxin into the treatment facility. The amendment also clarifies that if the assessment is on the generator, nonpayment by the generator does not jeopardize the discharge license of the treatment works; and
4. Adds an allocation section which allocates \$168,000 for the program from the Maine Environmental Protection Fund. This sum represents the projected resources from the assessments made under the program.

LD 1159 An Act to Create a Tire Emergency Readiness Fund ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SPEAR	ONTP	

SUMMARY

This bill would have provided that 20% of the recycling assistance fee collected on tires must be paid to the Tire Emergency Readiness Fund to be used by the Commissioner of Public Safety to reimburse municipalities for the approved cost of fighting fires at tire disposal sites.

LD 1241 An Act to Repeal the 100-foot Setback from Landfills for Recycling Facilities ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PERKINS	ONTP	

SUMMARY

This bill would have prohibited rules requiring transfer facilities, including recycling facilities, to be located at least 100 feet from the solid waste boundary of an active or closed solid waste disposal facility.

LD 1243 An Act to Reestablish the Great Pond Task Force PUBLIC 345

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
JACQUES	OTP-AM	H-514

SUMMARY

This bill reestablishes the Great Pond Task Force with a repeal date of December 31, 1998.

COMMITTEE AMENDMENT "A" (H-514) allows the Governor to appoint up to 6 additional public members to the Great Pond Task Force, to ensure that all interested parties are represented. The amendment also amends the duties of the task force, extends the deadline for reporting a management strategy to January 1, 1997 and specifies that the State Planning Office shall provide staffing and funding for the task force and shall review and update the management strategy every 5 years.

LD 1260 An Act to Repeal the Automobile Emissions Testing Law, to ONTP
Repeal the Requirement to Use Reformulated Gasoline and to
Withdraw Maine from the Ozone Transport Region

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
HATHAWAY ONTP

SUMMARY

This bill would have repealed the Motor Vehicle Emissions Testing Program, required the Commissioner of Environmental Protection to petition the United States Environmental Protection Agency to remove Maine counties from the federal regulation requiring certain areas of the country to sell reformulated gasoline and required 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.

See LD 48, 716, 376 and 625.

LD 1263 An Act to Delegate Permit-granting Authority to PUBLIC 267
Municipalities

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
LONGLEY OTP-AM S-206

SUMMARY

This bill proposed to require a municipality, in order to receive authority to issue permits under certain state environmental laws, to have a board of appeals, a certified, licensed code enforcement officer, and an application form that is substantially the same as that provided by the Commissioner of Environmental Protection. The bill would have also repealed the requirement that a municipality have a comprehensive plan and required instead that the municipality have a shoreland zoning ordinance and a flood hazard plan. The bill would have also required certified municipal code enforcement officers and officials of the Natural Resources Conservation Service to enforce certain environmental laws.

COMMITTEE AMENDMENT "A" (S-206) replaces the bill. It changes the standards that a municipality must meet in order to receive authority to issue permits under the natural resources protection laws. The amendment adds the requirement that the municipality have a certified code enforcement officer and a board of appeals, but allows the municipality to have forms different from the state forms as long as they are substantially the same as the state forms.