

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

MEMBERS:

Sen. Sharon Anglin Treat, Chair

Sen. John M. Nutting

Sen. Jeffrey H. Butland

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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).

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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

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 194

**An Act to Fully Fund the Surface Water Ambient Toxics
Monitoring Program**

ONTP

Sponsor(s)
ETNIER

Committee Report
ONTP

Amendments Adopted

LD 194 proposed to provide funding from the General Fund for the continuation of the surface water ambient toxics monitoring program through the 1998-99 biennium at \$500,000 per year. The program is funded in the budget bill (Public Law 1997, chapter 24) through a General Fund appropriation to the Bureau of Land and Water Quality.

LD 198

**An Act to Amend the Permitting Laws for Septic Waste Disposal
Sites**

PUBLIC 40

Sponsor(s)
CLUKEY

Committee Report
OTP-AM

Amendments Adopted
H-67

LD 198 proposed to provide that a municipality, including a plantation, that has provided for disposal of all materials from septic tanks and cesspools within the municipality may deny approval for a site for the disposal of septage if the municipality finds that the site constitutes a health or safety hazard or would have an adverse effect on property values.

Committee Amendment "A" (H-67) proposed to replace the bill. The amendment proposed to revise the laws relating to approval of septage disposal sites in the following ways. It proposed to maintain the requirement that approval of a site be obtained from the municipality in which the site is located as well as from the Department of Environmental Protection, but it proposed to permit the municipality to decide whether approval must be obtained first from the municipality or the department. The amendment also proposed to specify that municipal approval is not required if a site is located in a Resource Protection District under the jurisdiction of the Maine Land Use Regulation Commission.

The amendment also proposed to clarify that if a municipality lacks applicable ordinances and local zoning and land use controls, the municipality must base its approval of the site on compliance with the siting and design standards in the department's rules relating to septage management. Finally, the amendment proposed to clarify the definition of municipality for purposes of the laws governing municipal septage sites.

Enacted law summary

Public Law 1997, chapter 40 maintains the requirement in law that approval of a septage disposal site be obtained from the municipality in which the site is located as well as from the Department of Environmental Protection, but it permits the municipality to decide whether approval must be obtained first from the municipality or the department. The law specifies that municipal approval is not required if a site is located in a Resource Protection District under the jurisdiction of the Maine Land Use Regulation Commission.

The law clarifies that if a municipality lacks applicable ordinances and local zoning and land use controls, the municipality must base its approval of the site on compliance with the siting and design standards in the

department's rules relating to septage management. The law also clarifies the definition of municipality for purposes of the laws governing municipal septage sites.

LD 218 **An Act to Amend the Site Law Concerning State and Local Review of Transmission Lines** **PUBLIC 72**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM MAJ ONTP MIN	S-31 H-106 ROWE

LD 218 proposed to return the threshold to 100 kilovolts. Effective July 1, 1997, the threshold for the development of a transmission line requiring approval by the Public Utilities Commission and subject to compliance with the site location of development laws is raised from 100 to 120 kilovolts.

Committee Amendment "A" (S-31), the majority report of the committee, proposed to add an emergency preamble, an emergency clause and a fiscal note to the bill.

House Amendment "B" to Committee Amendment "A" (H-106) proposed to strip the emergency preamble and emergency clause from the committee amendment.

Enacted law summary

Public Law 1997, chapter 72 returns the threshold for the development of a transmission line requiring approval by the Public Utilities Commission and subject to compliance with the site location of development laws to 100 kilovolts.

LD 226 **Resolve, Requiring the Department of Public Safety, Chief of the State Police to Amend the Commercial Vehicle Inspection Standards to Help Control Diesel Truck Emissions** **ONTP**

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

LD 226 proposed to require the Chief of the State Police to amend the rules for the inspection of commercial vehicles to require that injectors on diesel systems be inspected.

See also LD 1651, which was amended to require the Commissioner of Environmental Protection, in developing a proposal for a motor vehicle inspection and maintenance program, to consider both roadside testing and annual testing at the time of inspection of heavy duty diesel-powered vehicles.