

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

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
NATURAL RESOURCES

MAY 1998

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. Linda Rogers McKee

Rep. Bruce S. Bryant

Rep. Edward L. Dexter

Rep. Roy I. Nickerson

Rep. June C. Meres

Rep. Clifton Foster

Staff:

Amy B. Holland, Legislative 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
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

Joint Standing Committee on Natural Resources

LD 80

An Act to Protect Internal Waters of the State

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PAUL	OTP-AM	

LD 80 proposed to add the criteria of environmental concerns, wildlife habitat, boat speed and traditional uses to the criteria that must be considered by the Commissioner of Inland Fisheries and Wildlife in developing rules governing the horsepower of motorboats on inland waters.

Committee Amendment "A" (H-805) proposed to establish the Lakes Assessment and Protection Program within the Department of Environmental Protection. In implementing the program, the Commissioner of Environmental Protection would conduct activities including education and technical assistance, resource monitoring and research and compliance monitoring and enforcement. In establishing priorities for these activities, the commissioner would consider the recommendations of the Great Pond Task Force and the priorities established by the Land and Water Resources Council.

The amendment also proposed to appropriate \$451,516 from the General Fund to provide funds for 4 positions and support costs to carry out the Lakes Assessment and Protection Program. This amendment was not adopted, but it was incorporated into the supplemental budget bill (Public Law 1997, chapter 643).

LD 660

Resolve, Requiring the Department of Environmental Protection to Study Alternative Fuels

PUBLIC 791

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TRIPP	OTP-AM MAJ	H-1037
CAREY	OTP-AM MIN	S-783 TREAT

LD 660 proposed 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 proposed to require sellers of gasoline or fuel to post material safety data sheets revealing all known chemical components of those fuels.

It also proposed to prohibit a state or federal authority from implementing any automobile testing policy, process or program without state legislative approval, and it proposed to provide that no aspect of Section 7545(k) of the federal Clean Air Act may be implemented in the State without state legislative approval.

It proposed 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 any financial sanctions, penalties or withholding of funds.

The bill also proposed 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.

Committee Amendment "A" (H-1037), the majority report of the Joint Standing Committee on Natural Resources, proposed to replace the bill and change the title. The amendment proposed to require the Commissioner of Environmental Protection to evaluate and make recommendations regarding alternative fuels that would meet the requirements in the federal Clean Air Act for a 15% rate of progress plan for the reduction of volatile organic compound emissions. The amendment proposed to require the commissioner to submit an interim report to the joint standing committee of the Legislature having jurisdiction over natural resource matters by January 15, 1999 and a final report by January 15, 2000. The amendment proposed to require the commissioner to hold at least one public hearing prior to developing the interim report.

The amendment also proposed to appropriate \$7,250 to the Department of Environmental Protection to conduct the study of alternative fuels and proposed to add a fiscal note.

Committee Amendment "B" (H-1038), the minority report of the Joint Standing Committee on Natural Resources, proposed to add a fiscal note to the bill. This amendment was not adopted.

Committee of Conference Amendment "B" to Committee Amendment "A" (S-783), the report of the Committee of Conference, proposed to provide a sales tax exemption for a portion of the sales or lease price of a clean fuel vehicle and an income tax credit for a portion of expenditures to modify filling stations to provide clean fuel. It also proposed to direct the Commissioner of Environmental Protection to evaluate the effectiveness of low emission vehicle incentives and to develop recommendations regarding alternative fuels to reformulated gasoline with methyl tertiary butyl ether. The amendment proposed to strike the General Fund appropriation of \$7,250 in fiscal year 1998-99 for the Department of Environmental Protection to study alternative fuels.

Enacted law summary

Public Law 1997, chapter 791 provides a sales tax exemption for a portion of the sale or lease price of a clean fuel vehicle and an income tax credit for a portion of expenditures to construct or modify filling stations to provide clean fuel. It also directs the Commissioner of Environmental Protection to evaluate the effectiveness of low emission vehicle incentives and to develop recommendations regarding alternative fuels to reformulated gasoline with methyl tertiary butyl ether.

LD 1730 An Act to Implement the Recommendations of the Great Pond Task Force PUBLIC 739

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM A	S-600
COWGER	OTP-AM B	S-686 KILKELLY
	OTP-AM C	S-691 KILKELLY
	ONTP D	

LD 1730 was carried over by the Joint Standing Committee on Natural Resources and was re-referred during the Second Regular Session as a joint referral to the Joint Standing Committee on Inland Fisheries and Wildlife and the Joint Standing Committee on Natural Resource.

LD 1730 proposed to implement the recommendations of the Great Ponds Task Force by: