

# 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

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*Sen. Jeffrey H. Butland*

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**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](http://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:

<i>CARRIED OVER</i> .....	<i>Bill carried over to Second Regular 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 &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

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

over natural resource matters and the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters on the progress of the mapping of significant wildlife habitats. The report is due on January 1, 1998 and on or before January 1st of every odd-numbered year thereafter.

**LD 1554**                      **An Act to Eliminate Inconsistencies and Unnecessary Duplication**                      **PUBLIC 296**  
**Regarding the Training and Certification of Individuals Who**  
**Enforce Land Use Regulations**

<u>Sponsor(s)</u> ETNIER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-418
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LD 1554 proposed to eliminate inconsistencies and unnecessary duplication between the Department of Human Services and the State Planning Office by consolidating at the State Planning Office responsibility to train and certify local plumbing inspectors and to certify individuals to enforce land use laws under the Maine Rules of Civil Procedure, Rule 80-K. This bill also proposed to authorize the State Planning Office to charge fees necessary to cover the costs of testing and training.

**Committee Amendment "A" (H-418)** proposed to make several technical changes to the bill. The amendment proposed to clarify that a municipality may employ a local plumbing inspector who has not yet been certified by the State Planning Office if the plumbing inspector receives temporary authorization from the Department of Human Services, Division of Health Engineering. Temporary authorization could be granted for a period not to exceed 12 months. The amendment also proposed to remove the authority granted in the bill to the State Planning Office to charge fees to cover the costs of training and certification of code enforcement officers.

***Enacted law summary***

Public Law 1997, chapter 296 eliminates inconsistencies and unnecessary duplication between the Department of Human Services and the State Planning Office by consolidating at the State Planning Office responsibility to train and certify local plumbing inspectors and to certify individuals to enforce land use laws under the Maine Rules of Civil Procedure, Rule 80-K. The law authorizes a municipality to employ a local plumbing inspector who has not yet been certified by the State Planning Office if the plumbing inspector receives temporary authorization from the Department of Human Services, Division of Health Engineering. Temporary authorization may be granted for a period not to exceed 12 months.

**LD 1555**                      **An Act to Create the River Flow Advisory Commission within the**                      **PUBLIC 236**  
**Department of Defense and Veterans' Services**

<u>Sponsor(s)</u> ROWE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-279
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LD 1555 proposed to create the River Flow Advisory Commission to advise the Governor and the Department of Defense and Veterans' Services on issues relating to the flow of the State's rivers and streams, to assist in communicating information and to administer the State's hydrologic monitoring program in cooperation with the United States Geological Survey. The bill also proposed to appropriate funds for the reimbursement to the United

States Geological Survey for previous work performed and for annual operating costs for four new stage-only gauges.

**Committee Amendment "A" (H-279)** proposed to remove the appropriation section from the bill and add a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 236 creates the River Flow Advisory Commission to advise the Governor and the Department of Defense and Veterans' Services on issues relating to the flow of the State's rivers and streams, to assist in communicating information and to administer the State's hydrologic monitoring program in cooperation with the United States Geological Survey.

**LD 1577**

**An Act to Eliminate Paper Mill Dioxin and Restore Maine's Rivers**

**INDEF PP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BULL	ONTP MAJ	
RAND	OTP-AM MIN	

LD 1577 proposed to establish a zero dioxin effluent limitation as a condition of all waste discharge licenses for kraft pulp and paper mills issued by the Department of Environmental Protection. The bill also proposed to require that all kraft pulp and paper mills in the State eliminate the use of chlorine-based bleaching chemicals in the bleaching process by December 31, 2002.

The bill proposed to require the State to include the zero dioxin effluent limitation and schedule of compliance as a condition of water quality certification under the federal Clean Water Act. It also proposed to require the Commissioner of Environmental Protection to object to the issuance of a license or permit by the United States Environmental Protection Agency to any kraft pulp and paper mill not located in the State that uses chlorine-based bleaching chemicals in its bleaching process and that discharges wastewater into waters that enter the State.

**Committee Amendment "A" (H-614)**, the minority report of the Joint Standing Committee on Natural Resources, proposed to require all kraft pulp and paper mills in the State to have a bleach plant wastewater flow of 5m<sup>3</sup>/kkg or less of air-dried bleached pulp by December 31, 2002. The amendment proposed to authorize the Commissioner of Environmental Protection to extend the schedule of compliance with the zero dioxin effluent limitation or the low effluent standard for a specific length of time for a mill, but not beyond December 31, 2007, if the commissioner determined, based on information presented by the mill, that compliance would not be achievable by the deadline due to engineering constraints, availability of equipment or other justifiable technical reasons.

The amendment also proposed to require the Commissioner of Environmental Protection and the Commissioner of Economic and Community Development to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by January 15, 1999 on recommendations relating to assistance in the financing of capital investments to assist mills in achieving the requirement for reduced bleach plant wastewater flow.

This amendment was not adopted.