

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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Maine State Legislature

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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).

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

Agency's Project XL program can be used as an alternative strategy to meet the federal Clean Air Act requirements and a recommendation on the feasibility of including in any new motor vehicle inspection and maintenance program a method of providing credits toward the program requirements to motor vehicle owners who incurred costs under the repealed emission inspection program. The law requires the commissioner to solicit input from the public in developing the proposals.

The law requires the commissioner to meet with the Joint Standing Committee on Natural Resources at least twice during the study. Finally, the law authorizes the committee to report out legislation during the Second Regular Session of the 118th Legislature.

LD 1696

An Act Regarding Low Emission and Zero Emission Vehicles

ONTP

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

LD 1696 proposed to repeal the current law authorizing the Board of Environmental Protection to adopt rules requiring the sale of low-emission vehicles and replace it with a section of law requiring the board to adopt rules requiring the sale of low-emission vehicles and zero-emission vehicles for 1999 model year vehicles. The rules would have to require sale of the same vehicles as are required under California law and regulations. The bill also proposed to require the Department of Environmental Protection to study zero-emission vehicle technology and implementation of zero-emission vehicle use in the State and to submit a report to the joint standing committee of the Legislature having jurisdiction over air quality matters by November 15, 2001.

See also LD 1313, which was amended to require the Commissioner of Environmental Protection to complete a study of zero-emission vehicles and submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters no later than January 1, 2000.

LD 1705

An Act Regarding Just Compensation for Private Waste Companies

INDEF PP

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

LD 1705 proposed to prohibit a municipality, city or county from prohibiting a private person from providing solid waste services within that municipality, city or county when those services are also provided by that governmental body.

The bill also proposed to prohibit a municipality, city, county, public benefit corporation or public authority from displacing an existing business that provides solid waste collection services, unless certain procedures are followed. These procedures include holding a public hearing, providing notice of the hearing to all businesses that provide the services and to the public and providing five years' written notice before displacing a business. The bill proposed that as an alternative to the five-year delay, displacement could be commenced after payment to the business of an amount equal to the business's preceding 12 months' gross receipts for providing the services in the area.

Committee Amendment "A" (H-576), the majority report of the committee, proposed to remove the provision in the original bill that prohibits a local unit of government from banning private competition with a solid waste service provided by the governmental unit and the provision that prohibits a local unit of government from requiring industrial and commercial establishments and multifamily residences of eight or more units to use or pay user fees for solid waste services provided by the governmental unit. It also proposed to eliminate the provision in the original bill that allows the governmental unit to displace a private solid waste business within five years if it pays compensation.

The amendment proposed to revise the procedures for notice and hearing, contained in the original bill, that a political subdivision or quasi-municipal corporation or district must follow before displacing an existing private solid waste business operating within its jurisdiction. Finally, the amendment proposed to reduce the number of years' notice required by the original bill for a local governmental unit to displace a solid waste business from five years to 12 months.

This amendment was not adopted.

LD 1730 An Act to Implement the Recommendations of the Great Pond Task Force CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT COWGER		

LD 1730 proposes to implement the recommendations of the Great Ponds Task Force. The Great Pond Task Force is established under the Maine Revised Statutes, Title 38, section 1842-A.

The bill proposes to establish the Lakes Heritage Trust Fund in the Executive Department to protect, preserve and enhance the quality and value of the State's great ponds. The fund would be administered by the Land and Water Resources Council. The bill proposes to authorize the council to accept monetary contributions into the fund. The bill proposes that the fund would also be capitalized in part from two revenue sources proposed in the bill: a one-time registration fee for motorless watercraft and an annual \$10 water quality impact fee assessed on residential dwellings on lots within the watershed of a great pond.

The bill proposes to redefine "personal watercraft" to include jet propelled watercraft 14 feet or less in length.

The bill proposes to direct the Commissioner of Inland Fisheries and Wildlife to adopt rules governing the use, operation and type of watercraft that may be used on great ponds less than 200 acres in surface area and proposes to require the commissioner to consider potential wildlife impacts, environmental values, including noise, and the traditional uses of a water body when adopting rules governing the horsepower, use, operation or type of watercraft allowed on a water body.

The bill proposes to increase the registration fee for motorboats. The fee for the first motorboat registered by a person in a year would be increased from \$4 to \$15. The fee for each additional motorboat registered in that person's name in that year would remain at the current rate of \$4.