

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
NATURAL RESOURCES**

JULY 1999

MEMBERS:

Sen. Sharon Anglin Treat, Chair

Sen. John M. Nutting

Sen. James D. Libby

Rep. John L. Martin, Chair

Rep. Scott W. Cowger

Rep. Linda Rogers McKee

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Rep. David L. Tobin

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 September 18, 1999.

Sponsor(s)
NUTTING J
COWGER

Committee Report
OTP-AM

Amendments Adopted
S-125

LD 665 proposed to require a public utility that owns a transformer manufactured before 1965 that contains polychlorinated biphenyls, PCBs, to replace the transformer or remove the PCBs from the transformer. It proposed to establish as a goal that this requirement be met within four years.

Committee Amendment "A" (S-125) proposed to establish voluntary goals for the removal of pole-mounted and pad-mounted transformers owned by public utilities that contain polychlorinated biphenyls in concentrations at or above 50 parts per million. The goal for the date of removal of such transformers located within 100 feet of surface waters or schools would be October 1, 2005 and the goal for the date of removal of other such transformers would be October 1, 2011.

The amendment proposed to require a public utility that owns transformers subject to the goals to submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters on its progress toward removing those transformers and a plan for removing those transformers located in underground vaults.

The amendment proposed to require the Department of Environmental Protection to gather information on sources of polychlorinated biphenyls that may be released into the environment and submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters with its findings and recommendations related to polychlorinated biphenyls in the environment.

Enacted law summary

Public Law 1999, chapter 193 establishes voluntary goals for the removal of pole-mounted and pad-mounted transformers owned by public utilities that contain polychlorinated biphenyls in concentrations at or above 50 parts per million. The goal for the date of removal of such transformers located within 100 feet of surface waters or schools is October 1, 2005 and the goal for the date of removal of other such transformers is October 1, 2011.

The law requires a public utility that owns transformers subject to the goals to submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters on its progress toward removing those transformers and a plan for removing those transformers located in underground vaults.

The law requires the Department of Environmental Protection to gather information on sources of polychlorinated biphenyls that may be released into the environment and submit a report by January 15, 2001 to the joint standing committee of the Legislature having jurisdiction over natural resources matters with its findings and recommendations related to polychlorinated biphenyls in the environment.

Sponsor(s)
DAIGLE

Committee Report
ONTP

Amendments Adopted

LD 692 proposed to require that a party or person who is responsible for causing a discharge of hazardous matter report the discharge immediately to the Department of Public Safety only if the discharge posed a potential threat to human

health or the environment. Under current law, a responsible party or person must report any discharge of hazardous matter into the waters of the State, onto the land or into the ambient air.

LD 712 **Resolve, Creating a Task Force to Investigate the Effects of Unratified International Treaties Implemented by State Agencies** **ONTP**

<u>Sponsor(s)</u> SNOWE-MELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 712 proposed to establish a task force to investigate the impact on state agencies of unratified international treaties such as the conventions on climate change and biodiversity. While the committee voted ONTP on this bill, the Legislature enacted P. L. 307, (See LD 2131) which addresses notice issues and consensus based rule development processes by requiring agencies to give advance notice of meetings and rulemakings to representative groups and other interested parties.

LD 770 **An Act to Make the Laws Governing State Ambient Air Quality for Ozone and Particulate Matter Consistent with Federal Requirements** **PUBLIC 79**

<u>Sponsor(s)</u> BULL		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-105
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LD 770 proposed to amend the air quality laws in Maine by changing the standards for particulate matter and the threshold for ozone advisories to be consistent with new federal standards.

This bill was submitted on behalf of the Department of Environmental Protection.

Committee Amendment "A" (H-105) proposed to change the ozone particulate standard from 84 parts per billion to .08 parts per million to mirror the National Ozone Standard.

Enacted law summary

Public Law 1999, chapter 79 modifies the standards for particulate matter and the threshold for ozone advisories from 84 parts per billion to .08 parts per million to be consistent with the National Ozone Standard.

LD 909 **An Act to Amend the Laws Governing the Land Application of Municipal Wastewater Treatment Plant Sludge** **PUBLIC 393**

<u>Sponsor(s)</u> LIBBY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-317
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LD 909 proposed to clarify the partial preemption of home rule authority that governs municipal ordinances regarding solid waste facilities to allow municipalities to require the testing of the actual wastewater treatment plant sludge that is going to be spread in that municipality to ensure that it meets the standards or parameters that are otherwise established by state law or rule. This bill proposed to limit the municipal testing authority to one analysis per site for each year. In addition, this bill proposed to require the Department of Environmental Protection to conduct at least one inspection annually of all the sites that are located in municipalities that the department approves for the spreading of sludge if sludge was applied to the site during the calendar year.