

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

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Sen. James D. Libby

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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.

- 8. It prohibits sludge land application sites within 75 feet of any river, perennial stream or great pond, and a storage site or storage facility that is off the site of generation of the sludge and that is within 250 feet of any river, perennial stream or great pond.
- 9. It allows a person who owns property that abuts a sludge land application site or storage facility to restrict the sludge application or sludge storage site to no less than 50 feet from the abutting property boundary.

LD 921 **An Act to Opt Out of the Requirement to Use Reformulated Gas** **ONTP**

<u>Sponsor(s)</u> GOODWIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 921 proposed to require the Governor to petition the federal government to end the requirement for sale of reformulated gas in certain counties in the State.

LD 940 **An Act to Permit Property Owners to Put Sand on and Rake Their Beaches** **ONTP**

<u>Sponsor(s)</u> MACK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 940 proposed to allow property owners who own land on the water to rake their beaches without the need to get permits under the natural resources protection laws. The bill also proposed to allow property owners on Sebago Lake to add sand, gravel and rocks to their beaches for 1 1/2 years without the need to get permits. The bill proposed to repeal this exception to the permit requirement 18 months from the effective date.

LD 953 **An Act to Reclassify Certain Waters of the State** **PUBLIC 277**

<u>Sponsor(s)</u> NUTTING J CAMERON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-220
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LD 953 proposed to implement a list of recommendations made by the Board of Environmental Protection for the reclassification of surface waters pursuant to the guidance provided in the Maine Revised Statutes, Title 38, section 464, subsection 2. The proposed reclassifications are based on actual water quality data, water quality model projections after completion of treatment facilities or other management changes to these waters, and from public comments received at a series of statewide public hearings conducted by the board to acquire information on present and potential use.

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

Committee Amendment "A" (S-220) proposed to do the following:

- 1. To reclassify the South Branch Carrabassett River from Class A to Class AA, but to specify that the existing use of permitted water withdrawal from that river segment provides significant social and economic benefits and may be maintained;

2. To reclassify Crooked Stream, a tributary of the Machias River, from Class A to Class AA;
3. To reclassify Shorey Brook, a tributary of the Narraguagus River, from Class A to Class AA;
4. To reclassify Salmon Stream, a tributary of the Penobscot River, from Class B to Class A, rather than Class AA as proposed in the bill;
5. To reclassify Buff Brook, a tributary of the Saco River, from Class B to Class A, rather than Class AA as proposed in the bill;
6. To classify 2,000 feet of the St. George River, beginning at the outlet of Little Pond, as Class A. That segment of the river was reclassified from Class C to Class AA in 1990 as a result of a significant procedural error that occurred during the reclassification process in 1989 and 1990;
7. To reclassify the segment of the Salmon Falls River from the Route 9 bridge to tidewater from Class B to Class C;
8. To make the reclassification of a small area of Somes Sound from Class SB to Class SA contingent upon the Commissioner of Environmental Protection certifying that there is a practicable alternative to the two existing licensed overboard discharges to those waters; and
9. To correct a technical error in the bill.

Enacted law summary

Public Law 1999, chapter 277 makes changes in the classification of several surface waters of the State based on the State's water quality classification system.

LD 1007

An Act to Repeal the Authorization of Lucerne-in-Maine Village Corporation to Construct Dams and Fishways

P & S 3

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH RUHLIN	OTP	

LD 1007 proposed to repeal the authority given to the Lucerne-in-Maine Village Corporation to construct, operate and maintain a dam and a fishway at the outlet of Phillips Lake in the town of Dedham.

Enacted law summary

Private and Special Law 1999, chapter 3 repeals the authority given to the Lucerne-in-Maine Village Corporation to construct, operate and maintain a dam and a fishway at the outlet of Phillips Lake in the town of Dedham.

LD 1049

An Act to Repeal the Enhanced Inspection Requirements for Motor Vehicles Registered in Cumberland County

ONTP

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