

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**SECOND REGULAR SESSION**

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

**JULY 2000**

***Staff:***

*Amy B. Holland, Legislative Analyst  
Jon Clark, Senior Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207)287-1670*

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**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 NINETEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing Committees**  
**July 2000**

We are pleased to provide this summary of 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](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:

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  
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101 & 107

4. to direct the department to undertake all reasonable efforts to promote and be an active participant in regional efforts by state regulatory agencies in the Northeast to develop alternatives to the use of MTBE as a gasoline additive;
5. to establish a prohibition on the use of MTBE in gasoline in the State after January 1, 2003 but to allow the department to suspend or delay this date if the commissioner finds that the prohibition will result in market constraints related to supply and pricing or will result in alternatives to MTBE that will cause greater environmental impact than the use of MTBE;
6. to require the department to make annual reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters on MTBE; and
7. to authorize the joint standing committee of the Legislature having jurisdiction over natural resources matters to report out legislation on MTBE in gasoline.

***Enacted law summary***

Public Law 1999, chapter 709 establishes certain labeling requirements for motor fuel dispensers that dispense automobile gasoline containing MTBE; requires the Department of Environmental Protection to monitor and report on the levels of MTBE being brought into the State; directs the department to undertake all reasonable efforts to promote and be an active participant in regional efforts by state regulatory agencies in the Northeast to develop alternatives to the use of MTBE as a gasoline additive; establishes as a goal for the department in its work in regional forums the elimination of MTBE in gasoline sold in Maine by January 1, 2003 in a manner that adequately accounts for market constraints related to supply and pricing and, based on thorough analysis and evaluation of alternatives to the use of MTBE, ensures the lowest possible total environmental impact; requires the department to make annual reports to the Joint Standing Committee on Natural Resources on progress made in regional efforts to remove MTBE from gasoline; and authorizes the Joint Standing Committee on Natural Resources to report out to any session of any legislature legislation on MTBE in gasoline.

**LD 1080**

**An Act to Direct State Capital Investments to Locally Designated Growth Areas**

**ONTP**

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

LD 1080 proposed to define growth-related capital investment and to require that growth-related capital investments by the State be made only in locally designated growth areas as identified in local comprehensive plans or, if there is no comprehensive plan, to areas with public sewers capable of handling the development. Exceptions could be made for state investments required to remedy threats to public health and safety; to mitigate nonpoint sources of pollution; to purchase lands for parks, open space or conservation; to assist natural resource-based industries and other activities that are typically located away from other development; to expand highways that meet national, state or regionwide needs; and for tourist and cultural facilities that rely on specific historic, natural or cultural resources.

See P.L. 1999, chapter 776.

**LD 1209**                      **An Act Regarding Property Owners Whose Land Abuts a Solid or Special Waste Landfill**                      **PUBLIC 691**

<u>Sponsor(s)</u> TRACY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-1028
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LD 1209 proposed to provide that persons who owned property abutting a landfill prior to the development of the landfill would be entitled to receive 5% of the tipping fees as compensation for interference with the use and enjoyment of the property. They would also be entitled to have the licensee of the landfill or the State pay for semiannual water testing.

**Committee Amendment "A" (H-1028)** proposed to require that biannual testing of private water supply wells be performed at the written request of a person who owns property abutting a commercial solid waste disposal facility that accepts special waste for landfilling and to require the licensee to pay for the testing. The amendment proposed to require a licensee to provide owners of property abutting the facility with written notice of their right to water quality testing. The amendment proposed to require that the testing be conducted by a certified laboratory selected by the property owner and in a manner specified by and meeting criteria developed by the Department of Environmental Protection.

***Enacted law summary***

Public Law 1999, chapter 691 requires that biannual testing of private water supply wells be performed at the written request of a person who owns property abutting a commercial solid waste disposal facility that accepts special waste for landfilling and requires the licensee to pay for the testing. The law requires the testing to be conducted by a certified laboratory selected by the property owner and in a manner specified by and meeting criteria developed by the Department of Environmental Protection. The law also requires a licensee to provide owners of property abutting the facility with written notice of their right to water quality testing.

**LD 1311**                      **An Act to Repeal the Emissions Testing Program in Cumberland County**                      **ONTP**

<u>Sponsor(s)</u> FOSTER HARRIMAN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1311 proposed to repeal the enhanced inspection requirements for motor vehicles registered in Cumberland County and instead to require those vehicles to meet the same inspection standards as vehicles registered in other counties in the State.