

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.

7. It clarifies provisions governing the municipal review of developments under the site location of development laws; and
8. It extends the authority of the Joint Standing Committee on Natural Resources to report out legislation regarding buffer strips and substandard subsurface disposal systems to the Second Regular Session of the 119th Legislature.

LD 1170

An Act Concerning the Review of State Solid Waste Management Policies

**PUBLIC 527
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B MARTIN	OTP-AM	H-550 MARTIN S-185 S-464 TREAT

LD 1170 proposed to expand the scope of the review policy that the State Planning Office must conduct when a state solid waste management and recycling plan is submitted for review.

Committee Amendment "A" (S-185) proposed to require the solid waste management task force to meet as determined appropriate by the State Planning Office, but at least once every 5 years, to review the state solid waste management policy and review the continued development and expansion of beneficial reuse and recycling. This amendment also proposed to require that membership in the task force include 5 Legislators from the Joint Standing Committee on Natural Resources, 2 Senators and 3 Representatives.

House Amendment "A" (H-550) proposed to change a date in the emergency preamble to the last business day of the year.

Senate Amendment "A" to Committee Amendment "A" (S-464) proposed to remove language that requires that membership on the solid waste management task force include Legislators from the joint standing committee of the Legislature having jurisdiction over natural resources matters. It proposed to require the task force to consult with members of the joint standing committee of the Legislature having jurisdiction over natural resources matters.

Enacted law summary

Public Law 1999, chapter 527 requires the solid waste management task force to meet as determined appropriate by the State Planning Office but at least once every 5 years to review the state solid waste management policy and review the continued development and expansion of beneficial reuse and recycling. It requires the task force to consult with members of the joint standing committee of the Legislature having jurisdiction over natural resources matters.

Chapter 527 was enacted as an emergency measure effective June 17, 1999.

LD 1209

An Act Regarding Property Owners Whose Land Abuts a Solid or Special Waste Landfill

CARRIED OVER

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

LD 1209 proposes to provide that persons who owned property abutting a landfill prior to the development of the landfill are entitled to receive 5% of the tipping fees as compensation for interference with the use and enjoyment of the

property. This bill also proposes that these abutters are also entitled to have the licensee of the landfill or the State pay for semiannual water testing. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 1212 **Resolve, to Replace Reformulated Gasoline and Require an Alternative Reid Vapor Pressure/Low-sulfur Substitute for the State** **ONTP**

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

LD 1212 proposed to require the Board of Environmental Protection to adopt rules requiring the use of low-sulfur fuel with a Reid vapor pressure measure of not greater than 7.8 pounds per square inch between May 1st and September 15th in the entire State. The bill proposed to specify that the fuel may not contain MTBE.

LD 1256 **Resolve, to Establish a Task Force to Study the Operation of and Support for the Board of Environmental Protection** **RESOLVE 85 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER TREAT	OTP-AM	H-169 S-446 MICHAUD

LD 1256 proposed to establish an 11-member task force to study whether the Board of Environmental Protection operates as an independent body or as a part of the executive branch of government and whether the administrative and technical staff dedicated exclusively to the Board of Environmental Protection is needed. It proposed that the task force report its findings to the Joint Standing Committee on Natural Resources by January 15, 2000.

Committee Amendment "A" (H-169) proposed to change the membership of the Task Force to Study the Operation of and Support for the Board of Environmental Protection to consist of a subcommittee of no more than 6 members of the Joint Standing Committee on Natural Resources. It proposed to clarify the duties, staffing and compensation of the task force, and to authorize the task force to hold 5 meetings, including one public hearing. The amendment also proposed to add an appropriation section to fund the costs of the task force.

Senate Amendment "A" to Committee Amendment "A" (S-446) proposed to add an emergency preamble and an emergency clause to the bill. The amendment proposed to provide that the first named Senate member and the first named House member serve as cochairs of the task force and to change the reporting date to December 1, 1999.

Enacted law summary

Resolve 1999, chapter 85 establishes the Task Force to Study the Operation of and Support for the Board of Environmental Protection to review the structure and operation of the Board of Environmental Protection. The task force, composed of a 6-member subcommittee of the Joint Standing Committee on Natural Resources, is to report its findings to the Joint Standing Committee on Natural Resources by December 1, 1999.

Chapter 85 was enacted as an emergency measure effective June 17, 1999.