

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

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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).

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
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Committee Amendment "A" (H-801) proposed to require the Commissioner of Environmental Protection to develop and implement an environmental management system incentive program to encourage entities to develop and implement environmental management systems that, at a minimum, conform to international standards, comply with all applicable environmental laws, rules and regulations and prevent and reduce pollution. The incentives could include alternative schedules for routine compliance inspections, alternative record-keeping and reporting systems and public recognition by the commissioner. The amendment proposed that, in order to be eligible for incentives, an entity must have met several requirements. The amendment proposed to require the commissioner to revoke all incentives granted to an entity if the entity no longer meets the eligibility requirements.

The amendment proposed to establish a repeal date of December 31, 2002 for the environmental management system incentive program and to require the Department of Environmental Protection to submit a report to the Legislature by January 15, 2002 with an evaluation of the incentive program and any recommendations for changes to the program.

Enacted law summary

Public Law 1999, chapter 562 requires the Commissioner of Environmental Protection to develop and implement an environmental management system incentive program to encourage entities to develop and implement environmental management systems that, at a minimum, conform to international standards, comply with all applicable environmental laws, rules and regulations and prevent and reduce pollution. The incentives may include alternative schedules for routine compliance inspections, alternative record-keeping and reporting systems and public recognition by the commissioner.

The law establishes a repeal date of December 31, 2002 for the environmental management system incentive program and requires the Department of Environmental Protection to submit a report to the Legislature by January 15, 2002 with an evaluation of the incentive program and any recommendations for changes.

LD 1562

Resolve, to Create the Commission to Study the Establishment of an Environmental Leadership Program

**RESOLVE 134
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AMERO MURPHY T	OTP-AM	S-516 S-804 AMERO

LD 1562 proposed to establish the Environmental Leadership Program as a voluntary program under which a person could receive incentives, including financial, procedural and recognition incentives, for improving environmental quality if a facility owned by the person meets certain criteria. The bill proposed to require the Board of Environmental Protection to adopt rules to implement the program by July 1, 2000.

The bill also proposed to establish the Environmental Leadership Fund, administered by the Commissioner of Environmental Protection, under which a person who owns a facility may receive a loan at below-market rates for pollution prevention, toxic use reduction, resource use reduction, resource recovery, energy efficiency or development of innovative environmental technologies.

Committee Amendment "A" (S-516) proposed to establish the Commission to Study the Establishment of an Environmental Leadership Program, composed of 8 legislative members. The duties of the commission would be to develop criteria for defining a company or business as an environmental leader, to develop incentives to encourage companies and businesses to become environmental leaders, to attract environmental leaders to the State and to identify opportunities for and obstacles to creating an environmental leadership program. The amendment proposed to require the commission to submit a report to the Legislature by January 15, 2002.

Senate Amendment "B" to Committee Amendment "A" (S-804) proposed to clarify the legislative membership and to change the reporting date to December 1, 2001.

Enacted law summary

Resolve 1999, chapter 134 establishes the Commission to Study the Establishment of an Environmental Leadership Program. The duties of the commission, composed of 8 legislative members, are to develop criteria for defining a company or business as an environmental leader, to develop incentives to encourage companies and businesses to become environmental leaders, to attract environmental leaders to the State and to identify opportunities for and obstacles to creating an environmental leadership program. The commission is required to submit a report by December 1, 2001.

Resolve 1999, chapter 134 was enacted as an emergency measure effective May 18, 2000.

LD 2084

An Act to Reduce the Release of Mercury into the Environment from Consumer Products

PUBLIC 779

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM MAJ	H-1174 TOWNSEND
SAVAGE W	ONTP MIN	S-648

LD 2084 proposed to prohibit the sale of certain products that contain mercury unless they are labeled to inform consumers that mercury is present in the item and that the item may not be disposed of until the mercury is removed and reused, recycled or otherwise managed. Products that would have to be labeled are thermostats and thermometers, switches, medical or scientific instruments, electric relays and other electrical devices and lamps. The bill proposed to ban the sale in the State of toys, games and apparel that contain mercury.

The bill proposed to prohibit the disposal of labeled mercury-added products except as part of a collection system after June 1, 2001 and to require the separation of labeled mercury-added products from other solid waste. It proposed to require municipal and regional association solid waste disposal facilities to develop programs for the collection of mercury-added products by December 1, 2000 and to implement those programs by June 1, 2001. It also proposed to require manufacturers of mercury-added products to establish a system for the proper collection, transportation and management of the products and to prohibit them from charging a fee for the collection system.

The bill proposed to require the Department of Environmental Protection to develop a plan, in consultation with dentists, for reducing mercury pollution from dental procedures and to require the Board of