

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. John M. Nutting

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.

<u>Sponsor(s)</u> TREAT ROWE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1669 proposed to amend the laws relating to toxics use and hazardous waste reduction in the following ways.

1. It proposed to add to the State's toxics use reduction and hazardous waste management policy the objectives of continuous improvement in pollution prevention and open, public accountability.
2. It proposed to revise the toxics use, toxics release and hazardous waste reduction goals by establishing statewide goals of a 10% reduction by January 1, 2002, a 20% reduction by January 1, 2004 and a 30% reduction by January 1, 2006. It proposed to require the Commissioner of Environmental Protection to submit an annual report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the progress toward meeting the statewide goals for toxics use, toxics release and hazardous waste reduction and the adequacy of the reduction goals set by facilities.
3. It proposed to require the Commissioner of Environmental Protection to adopt rules to establish guidelines for measuring the progress of new facilities toward minimizing toxics use, toxics release and hazardous waste generation.
4. It proposed to clarify which facilities would be required to prepare pollution prevention plans, plan summaries and annual progress reports and which facilities would be exempt from planning, reporting and fee requirements.
5. It proposed to require facilities to prepare pollution prevention plans by September 1, 2000 and every three years thereafter. In addition to the current plan requirements, a plan would have to include a financial analysis of the costs and benefits of reducing the amount of toxics used, toxics released and hazardous waste generated and the facility's goals for reducing the amount of extremely hazardous substances used, toxics released and hazardous waste generated. It also proposed to require facilities to submit summaries of their pollution prevention plans and annual pollution prevention progress reports to the Department of Environmental Protection.
6. It proposed to require facilities to involve employees in developing pollution prevention plans and plan updates. It also proposed to require facilities to notify the municipal officers in the municipality in which a facility is located of pollution prevention efforts and to provide the municipal officers with a copy of plan summaries.
7. It proposed to authorize the Commissioner of Environmental Protection to review pollution prevention plans, plan summaries and progress reports and to require the owners or operators of a facility to revise or modify a plan, plan summary or progress report. It proposed to require the commissioner to review a pollution prevention plan in the following situations: if the plan summary indicated significant deficiencies in the facility's pollution prevention efforts; if the facility failed to reach any of its reduction goals by more than 25%; or if the municipal officers or 50 registered voters in the municipality in which the facility is located submitted a petition to review the plan.
8. It proposed to require the Commissioner of Environmental Protection to organize and store in electronic form the information submitted to the department in annual progress reports. It also proposed to require the commissioner to offer technical services over the Internet and to establish a clearinghouse of technical information on toxic use reduction.
9. It proposed to require the Commissioner of Environmental Protection to submit several reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

10. It proposed to authorize the Commissioner of Environmental Protection to designate by rule a class of facilities as subject to planning and reporting requirements if the commissioner made a finding that participation by that class of facilities could reduce threats to public health and the environment. Adding such a class of facilities would require review by the Legislature.
11. It proposed to require the Commissioner of Environmental Protection to establish, by October 1, 2006, new statewide goals for reducing the amount of toxics used, toxics released and hazardous waste generated.
12. It proposed to revise the fees required to be paid to the department by toxics users, toxics releasers and hazardous waste generators.
13. It proposed to clarify the penalties for failure to meet requirements under the toxics use and hazardous waste reduction laws.

LD 1691 An Act to Protect Maine's Lakes and Ponds from Camp Road Runoff ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE NUTTING J	ONTP	

LD 1691 proposed to establish a camp road management grants program in the Department of Environmental Protection to provide matching financial and technical assistance grants to municipalities and nonprofit organizations involved in camp road construction and maintenance. Camp road projects within a shoreland zone would be eligible for matching grants. Grants would be awarded on a competitive basis based upon the degree to which the project design protects the associated water body from nonpoint source pollution associated with the use of the road. The bill proposed to fund the grant program from an annual appropriation of \$125,000 from the General Fund in each year of the biennium.

LD 1692 An Act to Expedite the Contaminated Groundwater Remediation Process ONTP

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

LD 1692 proposed to authorize the Department of Environmental Protection to finance extensions of public water supplies to restore or replace water supplies contaminated by hazardous wastes, waste oil or discharges of oil.

LD 1711 An Act to Clarify the Law Governing Disbursements from the PUBLIC 278
Groundwater Oil Clean-up Fund

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE	OTP-AM	H-426

LD 1711 proposed to make several changes to the laws governing disbursements from the Groundwater Oil Clean-up Fund.