

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

MEMBERS:

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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.

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

Committee Amendment "A" (H-426) proposed to strike the provisions of the bill that propose to make storage tank owners who apply to the Groundwater Oil Clean-up Fund for coverage of oil clean-up costs subject to conditional deductibles based on the failure of a prior owner to meet regulatory requirements.

Enacted law summary

Public Law 1999, chapter 278 does the following:

1. Makes an applicant to the Groundwater Oil Clean-up Fund ineligible for coverage of oil clean-up costs that the applicant already has recovered or subsequently recovers by court judgment or settlement with other responsible parties.
2. Increases from \$2,000,000 to \$2,250,000 the cap on disbursements from the Groundwater Oil Clean-up Fund for personal services in anticipation of hiring three to four employees to do oil remediation work that currently is being done by private contractors.
3. Authorizes an additional \$1,000,000 in disbursements from the Groundwater Oil Clean-up Fund to help low-income families remove nonconforming underground heating oil tanks and replace them with aboveground tanks that meet regulatory requirements.
4. Makes it clear that the commissioner shall seek reimbursement of all department clean-up costs that are not eligible for coverage by the fund, including costs paid from federal grant money.

LD 1714

An Act to Clarify and Improve the State's Solid Waste Management Laws

PUBLIC 385

Sponsor(s)
MARTIN

Committee Report
OTP-AM

Amendments Adopted
H-633

LD 1714 proposed several changes to the State's solid waste management laws.

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

Committee Amendment "A" (H-633) proposed to correct typographical errors in the bill.

Enacted law summary

Public Law 1999, chapter 385 does the following:

1. Revises the Environmental Protection Fund fee schedule, which establishes statutory maximum fees. The revisions include changes to certain categories of licenses and fees in order to make them consistent with recently adopted solid waste management rules.
2. Revises the law to limit the scope of the nonhazardous waste transporter licensing program to the transportation of septage, used motor vehicle tires and construction or demolition debris.
3. Revises the law to expand the scope of the State Planning Office's technical and financial assistance program to include planning assistance to municipalities and regions for solid waste management in addition to recycling program assistance.

4. Revises the schedule for fees imposed on certain wastes disposed of in landfills. Specifically, the schedule makes fee amounts consistent between commercial and municipal landfills, imposes a consistent \$5 per ton fee on most categories of special waste, reduces the fee on municipal solid waste incinerator ash and front end process residue to \$1 per ton and imposes a consistent \$2 per ton fee on municipal solid waste disposed of at commercial and municipal landfills under very limited circumstances.

LD 1736 **An Act to Amend the Site Location of Development Laws to Include the Location and Safety of Transmission Towers** **ONTP**

<u>Sponsor(s)</u> POWERS	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1736 proposed to require the Department of Environmental Protection to consider the visual impact associated with the construction of electric transmission line towers, when reviewing an application for a site location of development permit.

LD 1763 **An Act to Require the Department of Environmental Protection to Mail the Department's Monthly Activity Report to Legislators on the Joint Standing Committees on Natural Resources and Health and Human Services** **ONTP**

<u>Sponsor(s)</u> KASPRZAK	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1763 proposed to require the Commissioner of Environmental Protection to mail the monthly activity report for the department to the members of the Joint Standing Committees on Natural Resources and Health and Human Services.

LD 1772 **An Act to Require Tire Manufacturers to Accept Tires for Return** **ONTP**

<u>Sponsor(s)</u> GOODWIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1772 proposed to require a tire manufacturer to accept for return those brands of tires it manufactures. This bill further proposed to eliminate the fee paid by the tire consumer for return of the motor vehicle tires.