

# 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*

*Rep. John L. Martin, Chair*

*Rep. Scott W. Cowger*

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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](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:

*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.

**LD 1774****An Act to Amend Environmental Penalties to Prohibit Fines on First-time Violators****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KASPRZAK DAVIS P	ONTP MAJ OTP-AM MIN	

LD 1774 proposed to prohibit the levying of fines on first-time violators of environmental laws as long as the violation was not willful and the violator agrees to work with the Department of Environmental Protection to correct any damage that may have occurred.

**LD 1794****An Act to Encourage the Implementation of Pollution Prevention in Maine****ONTP**

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

LD 1794 proposed to extend Maine's toxics use reduction laws by requiring facilities to establish their own facility-specific goals for toxics release, toxic use and hazardous waste reductions. The bill proposed to establish a recognition program for high performers and to require the Department of Environmental Protection to provide assistance to nonperformers and to require plan-summary submissions from nonperformers. The bill proposed to clarify penalties for failure to submit required reporting documents. The bill also proposed to incorporate pollution prevention into state policy and to require the Commissioner of Administrative and Financial Services to lead the development of an environmental management system for state facilities.

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

**LD 1808****An Act to Amend the Definition of Lender Under the Uncontrolled Hazardous Substance Sites Law****PUBLIC 289**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CIANCHETTE	OTP-AM	H-423

LD 1808 proposed to expand the definition of lender contained in the Maine Revised Statutes, Title 38 by incorporating a federal definition that would extend the potential applicability of the exemption from liability for lenders contained in Title 38, section 342-B, subsection 2 to entities purchasing mortgage notes on the secondary market.

**Committee Amendment "A" (H-423)** proposed to make a technical correction to a statutory cross-reference.

***Enacted law summary***

Public Law 1999, chapter 289 expands the definition of lender contained in Title 38, section 1362, subsection 1-B by incorporating a federal definition that would extend the applicability of the exemption from liability for lenders contained in Title 38, section 342-B, subsection 2 to entities purchasing mortgage notes on the secondary market.