

# 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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***Staff:***

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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 1822**

**An Act Allowing Kelly Sanborn to Remain in Her Current Residence**

**ONTP**

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

LD 1822 proposed to allow Kelly Sanborn and her family to reside in an apartment in Standish with the current septic system.

**LD 1823**

**An Act to Increase Accessibility to the Department of Environmental Protection Clean-up Funds for Businesses**

**PUBLIC 375  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY HONEY	OTP-AM	S-286

LD 1823 proposed to change the eligibility requirements for commercial establishments to receive state grants under the Small Community Grant Program to clean up individual malfunctioning wastewater systems by basing eligibility on federal taxable income rather than gross profit. The bill proposed to limit businesses that qualify for the grants to those with \$25,000 or less in annual taxable income.

**Committee Amendment "A" (S-286)** proposed to change the eligibility requirements for commercial establishments to receive assistance under the Small Community Grant Program by clarifying the definition of gross profit and allowing commercial establishments with \$100,000 or less in gross profit to be eligible for grants. The amendment proposed to authorize the Commissioner of Environmental Protection to reimburse applicants for eligible projects serving commercial establishments and undertaken in 1999 when funds become available through the sale of bonds. The amendment also proposed to add an emergency preamble and an emergency clause to the bill.

***Enacted law summary***

Public Law 1999, chapter 375 changes the eligibility requirements for commercial establishments to receive assistance under the Small Community Grant Program by clarifying the definition of gross profit and allowing commercial establishments with \$100,000 or less in gross profit to be eligible for grants. The law authorizes the Commissioner of Environmental Protection to reimburse applicants for eligible projects serving commercial establishments and undertaken in 1999 when funds become available through the sale of bonds.

Chapter 375 was enacted as an emergency measure effective June 1, 1999.

**LD 1835**

**An Act to Amend the Department of Environmental Protection Laws**

**ONTP**

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

LD 1835 proposed to amend the Department of Environmental Protection's permit-by-rule notification form by adding language that the department may not enter upon the applicant's land without prior knowledge or consent for each visit. The bill proposed to stipulate that an administrative consent agreement may not require a violator to waive any rights to

hearings or proceedings before the Board of Environmental Protection or contain any requirement to abide by conditions that were not agreed upon. The bill also proposed to amend the definitions of pollutant and river, stream or brook.

**LD 1859**                      **An Act to Require Enhanced Emissions Testing for the Entire State**                      **ONTP**

<u>Sponsor(s)</u> FOSTER		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1859 proposed to apply the provisions of the enhanced inspection, currently only required for motor vehicles registered in Cumberland County, to all motor vehicles registered in the State beginning January 1, 2001.

**LD 1924**                      **An Act to Reduce Mercury in Products**                      **ONTP**

<u>Sponsor(s)</u>		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1924 proposed to do the following:

1. It proposed to require manufacturers of mercury-added products to disclose the fact that a product offered for sale in this State contains mercury and to label the product accordingly;
2. It proposed to require persons who sell mercury-added lamps for use in large applications such as industrial facilities to clearly inform the purchaser in writing that the lamps contain mercury, a hazardous substance regulated by state and federal law, and that the lamps may not be placed in solid waste. It also proposed to require contractors who remove large quantities of mercury-added lamps to disclose, in writing, the arrangements made for management of the mercury in the removed lamps;
3. It proposed to impose restrictions on the sale and distribution of elemental mercury;
4. It proposed to ban the sale in the State of toys, games or clothing that contain mercury; and
5. It proposed to require the Land and Water Resources Council to submit a report on manufacturer responsibility for collection of mercury-added products from users with recommendations to implement a system for ensuring that disposal of mercury-added products does not contribute to mercury emissions to the environment.

**LD 2038**                      **An Act to Amend the Water Quality Laws to Establish a New Standard for Mercury Discharges**                      **PUBLIC 500  
EMERGENCY**

<u>Sponsor(s)</u> KONTOS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-316
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LD 2038 proposed to make the following changes to the laws governing the discharge of mercury to the waters of the State: