

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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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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get vote required for enactment or final passage</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

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.

Chapter 500 was enacted as an emergency measure effective June 11, 1999.

LD 2063

An Act to Maintain Protection of Sand Dunes Under Existing Law

PUBLIC 298

<u>Sponsor(s)</u> COLLINS MACKINNON		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-424
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LD 2063 proposed to require any building located within the so-called V-Zone, as designated by the National Flood Insurance Program after January 1, 1999, to have the same restrictions and permit requirements under the natural resources protection laws that existed prior to expansion of the V-Zones.

Committee Amendment "A" (H-424) proposed to prohibit the Department of Environmental Protection from denying a permit under the natural resources protection laws for reconstruction of a structure, including a structure destroyed by an ocean storm, solely because the structure is located in an area designated a V-Zone after January 1, 1999. The amendment would not change the department's standards for reconstruction activities in a V-Zone that was designated as such prior to January 1, 1999.

Enacted law summary

Public Law 1999, chapter 298 prohibits the Department of Environmental Protection from denying a Natural Resources Protection Act permit for reconstruction of a structure, including a structure destroyed by an ocean storm, solely because the structure is located in an area designated a V-Zone after January 1, 1999. The law does not change the department's standards for reconstruction activities in a V-Zone that was designated as such prior to January 1, 1999.

LD 2084 **An Act to Reduce the Release of Mercury into the Environment from Consumer Products** **CARRIED OVER**

<u>Sponsor(s)</u> TREAT SAVAGE W		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 2084 proposes to require the Land and Water Resources Council to report annually to the joint standing committee of the Legislature having jurisdiction over natural resource matters on issues related to mercury contamination.

The bill proposes 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 proposes to prohibit the disposal of labeled mercury-added products except as part of a collection system after June 1, 2001. It also proposes to require the separation of labeled mercury-added products from other solid waste. It proposes 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. The bill proposes to require the Department of Environmental Protection and the State Planning Office to assist municipalities and regional associations in developing collection programs and informing the public about mercury-added products.

It proposes 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 proposes to ban the sale in the State of toys, games and apparel that contain mercury.

The bill proposes to require the Department of Environmental Protection to develop a plan, in consultation with dentists, for reducing mercury pollution from dental procedures. It proposes to require the Board of Environmental Protection to adopt rules to implement mandatory source reduction of mercury from dental procedures. This bill was carried over to the Second Regular Session of the 119th Legislature.

LD 2137 **An Act to Prohibit Motor Vehicles on Certain Lakes** **ONTP**

<u>Sponsor(s)</u> GAGNON DAGGETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2137 proposed to prohibit the operation of a motor vehicle on any frozen body of water that is used as a public water supply. The bill proposed to provide for a one-time day pass that may be granted to allow a motor vehicle to be driven on the ice when it is in the best interest of the public.

LD 2151 **An Act to Revise the State's Water Quality Standards** **ONTP**

<u>Sponsor(s)</u> RUHLIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2151 proposed to establish a new water quality standard for mercury based on the federal standard.

LD 2158 **An Act to Authorize Matinicus Isle Plantation to Implement a Disposal Fee for Motorized Vehicles** **P & S 28**

<u>Sponsor(s)</u> PINGREE SKOGLUND		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-259
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LD 2158 proposed to authorize Matinicus Isle Plantation to assess a solid waste disposal fee for motorized vehicles on the island, not to exceed \$500 per vehicle.

Committee Amendment "A" (S-259) proposed to add an emergency preamble and emergency clause and expand the definition of motorized vehicles to include motor vehicles, trailers and travel trailers.

Enacted law summary

Private and Special Law 1999, chapter 28 authorizes Matinicus Isle Plantation to assess a solid waste disposal fee for motorized vehicles on the island, including trailers and travel trailers, not to exceed \$500 per vehicle.