

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
NATURAL RESOURCES**

**JULY 2000**

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**SECOND REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing Committees**  
**July 2000**

We are pleased to provide this summary of 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:

- 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
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*..... Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*..... Bill imposing local mandate failed to get 2/3 vote
- 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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

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**Committee Amendment "A" (S-516)** proposed to establish the Commission to Study the Establishment of an Environmental Leadership Program, composed of 8 legislative members. The duties of the commission would be to develop criteria for defining a company or business as an environmental leader, to develop incentives to encourage companies and businesses to become environmental leaders, to attract environmental leaders to the State and to identify opportunities for and obstacles to creating an environmental leadership program. The amendment proposed to require the commission to submit a report to the Legislature by January 15, 2002.

**Senate Amendment "B" to Committee Amendment "A" (S-804)** proposed to clarify the legislative membership and to change the reporting date to December 1, 2001.

***Enacted law summary***

Resolve 1999, chapter 134 establishes the Commission to Study the Establishment of an Environmental Leadership Program. The duties of the commission, composed of 8 legislative members, are to develop criteria for defining a company or business as an environmental leader, to develop incentives to encourage companies and businesses to become environmental leaders, to attract environmental leaders to the State and to identify opportunities for and obstacles to creating an environmental leadership program. The commission is required to submit a report by December 1, 2001.

Resolve 1999, chapter 134 was enacted as an emergency measure effective May 18, 2000.

**LD 2084**

**An Act to Reduce the Release of Mercury into the Environment from Consumer Products**

**PUBLIC 779**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	OTP-AM MAJ	H-1174 TOWNSEND
SAVAGE W	ONTP MIN	S-648

LD 2084 proposed 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 proposed to ban the sale in the State of toys, games and apparel that contain mercury.

The bill proposed to prohibit the disposal of labeled mercury-added products except as part of a collection system after June 1, 2001 and to require the separation of labeled mercury-added products from other solid waste. It proposed 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. It also proposed 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 proposed to require the Department of Environmental Protection to develop a plan, in consultation with dentists, for reducing mercury pollution from dental procedures and to require the Board of

Environmental Protection to adopt rules to implement mandatory source reduction of mercury from dental procedures.

**Committee Amendment "A" (S-648)**, the majority report of the committee, proposed to define mercury-added products as the following products if they contain mercury added during manufacture: thermostats and thermometers, electrical switches, medical or scientific instruments, electrical devices and lamps. The amendment proposed to require, beginning January 1, 2002, the labeling of mercury-added products other than mercury-added lamps sold in the State and to require a seller of mercury-added lamps to commercial, industrial or other large users to provide information on the invoice or in a separate document to inform the purchaser that the lamps contain mercury and may not be placed in solid waste destined for disposal.

The amendment proposed to ban the disposal of mercury-added products in a solid waste disposal facility after July 15, 2002 and to exempt mercury-added products used in households from that ban until January 1, 2005. The amendment proposed to require a waste mercury-added product to be reused, recycled or otherwise managed to ensure that the product is not disposed of in violation of the ban.

The amendment proposed to exempt automobile component parts from the labeling requirement and the source separation requirement until July 15, 2002 and to require the Department of Environmental Protection to develop, in consultation with the automobile manufacturers and other interested parties, a plan for compliance with those requirements as they relate to automobile components. The amendment also proposed to require the department to work with dentists to develop a pollution prevention plan for mercury from dental procedures by July 15, 2002.

The amendment proposed to require the department and the Executive Department, State Planning Office to implement an education program relating to mercury-added products no later than January 1, 2001 and to assist interested municipalities and regional associations in developing collection programs for mercury-added products. It also proposed to specify that the State Planning Office shall attempt, through the awarding of household hazardous waste grants, to fund capital improvements and operating expenses to facilitate the development of collection programs throughout the State for universal waste generated by households, small-quantity generators, public schools and municipalities. It requires the State Planning Office, at a minimum, to award grants to public schools and municipalities for reasonable additional costs incurred as a result of managing waste mercury-added products generated by them, in compliance with the disposal ban and the source separation requirement.

The amendment proposed to establish the Mercury Products Advisory Committee to advise the department, the State Planning Office and the Legislature on further actions needed to prevent and reduce environmental releases of mercury from consumer products and to require the committee to report annually beginning January 15, 2002 on the effectiveness and extent of established programs for the collection, transportation and recycling of mercury-added products. The amendment proposed to repeal the Mercury Products Advisory Committee in 2006.

The amendment proposed to require the department to submit a report by January 15, 2002 to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the status of mercury releases into the environment and an assessment of the extent to which the infrastructure has been developed to enable collection and recycling of mercury-added lamps.

The amendment proposed to exempt lamps, mercury-containing thermostats, polychlorinated biphenyl ballast and certain batteries from the planning, reporting and fee requirements under the laws relating to toxics use, toxics release and hazardous waste reduction.

**House Amendment "A" to Committee Amendment "A" (H-1174)** proposed to change the composition of the Mercury Products Advisory Committee to provide that, when making the appointments, the Speaker and the President shall give preference to members from the joint standing committee of the Legislature having jurisdiction over natural resources matters. It also proposed to provide for the reimbursement of necessary expenses incurred by public members who are not otherwise compensated by their employers.

***Enacted law summary***

Public Law 1999, chapter 779 defines mercury-added products as the following products if they contain mercury added during manufacture: thermostats and thermometers, electrical switches, medical or scientific instruments, electrical devices and lamps. The law requires, beginning January 1, 2002, the labeling of mercury-added products other than mercury-added lamps sold in the State and requires a seller of mercury-added lamps to commercial, industrial or other large users to provide information on the invoice or in a separate document to inform the purchaser that the lamps contain mercury and may not be placed in solid waste destined for disposal.

The law bans the disposal of mercury-added products in a solid waste disposal facility after July 15, 2002 but exempts mercury-added products used in households from that ban until January 1, 2005. The law exempts automobile component parts from the labeling requirement and the source separation requirement until July 15, 2002. The law requires the Department of Environmental Protection to work with dentists to develop a pollution prevention plan for mercury from dental procedures by July 15, 2002.

The law establishes the Mercury Products Advisory Committee to advise the department, the State Planning Office and the Legislature on further actions needed to prevent and reduce environmental releases of mercury from consumer products and requires the committee to report annually beginning January 15, 2002 on the effectiveness and extent of established programs for the collection, transportation and recycling of mercury-added products. The law repeals the Mercury Products Advisory Committee in 2006.

The law establishes requirements for public education and for technical and financial assistance to municipalities. The law also exempts lamps, mercury-containing thermostats, polychlorinated biphenyl ballast and certain batteries from the planning, reporting and fee requirements under the laws relating to toxics use, toxics release and hazardous waste reduction.

**LD 2182**

**An Act to Improve Air Quality through Market Incentives for the Purchase of Cleaner Vehicles**

**PUBLIC 684**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON PINGREE	OTP-AM	H-1038

LD 2182 proposed to create a Cleaner Car Rebates Program to promote the purchase of new and used low-emission cars and trucks by offering a rebate to the purchaser of a cleaner vehicle.

**Committee Amendment "A" (H-1038)** proposed to replace the bill. This amendment proposed: