

# 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**

**MEMBERS:**

*Sen. Sharon Anglin Treat, Chair  
Sen. John M. Nutting  
Sen. James D. Libby*

*Rep. John L. Martin, Chair  
Rep. Scott W. Cowger  
Rep. Linda Rogers McKee  
Rep. David M. Etnier  
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Rep. David L. Tobin*

**Staff:**

*Amy B. Holland, Legislative Analyst  
Jon Clark, Senior Legislative Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207)287-1670*



**Maine State Legislature**  
**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**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  
ONT P..... 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.

*David E. Boulter, Director*  
Offices Located in the State House, Rooms 101 & 107

***Enacted law summary***

Public Law 1999, chapter 713 creates an interest-free loan program for persons who have obligated themselves to pay for the remedial investigation and feasibility study at the Plymouth waste oil site.

Public Law 1999, chapter 713 was enacted as an emergency measure effective April 14, 2000.

**LD 2350****An Act to Clarify the Laws Governing Solid Waste Disposal Districts****PUBLIC 557**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD KNEELAND	OTP	

LD 2350 proposed to clarify the management of a refuse disposal district by specifying that directors from the same municipality do not have to vote together but may vote independently of each other.

***Enacted law summary***

Public Law 1999, chapter 557 clarifies current law regarding voting by the board of directors of a refuse disposal district by specifying that directors from the same municipality do not have to vote together but may vote independently of each other.

**LD 2375****An Act to Rid Maine's Waters of Ocean Vessel Sewage****PUBLIC 655**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J COWGER	OTP-AM	S-567

LD 2375 proposed to require the Department of Environmental Protection to review existing availability of pump-out stations, apply for federal grant money and develop a plan to ensure such facilities are adequate to meet the existing needs and develop a program to educate boaters of the importance of using such facilities. The bill also proposed to require the department to apply to the Federal Government for designation of the first 3 coastal miles of the State as a "no discharge" zone pursuant to 33 United States Code and to require that, beginning August 1, 2000, any new construction of or expansion of public or private marinas must include operational pump-out stations and waste reception facilities. The bill also proposed to regulate, beginning July 15, 2005, the discharge of sewage from watercraft operating on coastal waters of the State.

**Committee Amendment "A" (S-567)** proposed to require the Department of Environmental Protection to review the availability of pump-out stations at marinas; to develop a plan for the construction, renovation and maintenance of pump-out facilities necessary to meet the needs of watercraft using the coastal waters of the State; to educate vessel owners and operators about the problem of sanitary waste discharges from vessels; and to apply to the United States Environmental Protection Agency by January 15, 2005 for

designation of the first 50 significant harbors or bays in the territorial waters of the State, as identified by the Commissioner of Environmental Protection, as no-discharge zones.

The amendment proposed to expand to noncommercial marinas the requirement in current law for a marina to provide a pump-out facility or, through a contractual agreement, a facility to remove sanitary waste from the holding tanks of watercraft. It proposed to require the Commissioner of Environmental Protection to award grants for the costs of pump-out facilities and contractual agreements using state and federal funds and to specify that marinas are not required to meet the requirement to provide a pump-out facility until a grant is issued to that marina.

#### ***Enacted law summary***

Public Law 1999, chapter 655 requires the Department of Environmental Protection to review the availability of pump-out stations at marinas, to apply for federal grant money and to develop a plan for the construction, renovation and maintenance of pump-out facilities necessary to meet the needs of watercraft using the coastal waters of the State. The law also requires the department to educate vessel owners and operators about the problem of sanitary waste discharges from vessels and to inform them of the locations of pump-out facilities; to apply to the United States Environmental Protection Agency by January 15, 2005 for designation of the first 50 significant harbors or bays in the territorial waters of the State, as identified by the Commissioner of Environmental Protection, as no-discharge zones; and to submit several related reports to the joint standing committee of the Legislature having jurisdiction over natural resources matters.

The law expands to noncommercial marinas the requirement in current law for a marina to provide a pump-out facility or, through a contractual agreement, a facility to remove sanitary waste from the holding tanks of watercraft. It requires the Commissioner of Environmental Protection to award grants for the costs of pump-out facilities and contractual agreements using state and federal funds. The commissioner shall pay 90% of the costs at municipal marinas and up to 75% of the costs at other marinas. The law specifies that marinas are not required to meet the requirement to provide a pump-out facility until a grant is issued to that marina.

**LD 2377**

**An Act to Prevent Contamination from Home Heating Oil Tanks**

**PUBLIC 635**

Sponsor(s)  
NUTTING J  
MARTIN

Committee Report  
OTP-AM

Amendments Adopted  
S-566

LD 2377 proposed to extend the funding from the Ground Water Oil Clean-up Fund to pay for the replacement of certain substandard home heating oil tanks.

**Committee Amendment "A" (S-566)** proposed to replace the bill. This amendment proposed:

1. To extend the oil storage tank repair and replacement program funded from the Ground Water Oil Clean-up Fund;
2. To increase funding to \$500,000 annually to retrofit, repair or replace tanks in order to abate an imminent threat to a groundwater restoration project, a public water supply or a sensitive geologic area, including coastal islands and peninsulas and to provide that: