

# 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:

<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 &amp; 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>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

*David E. Boulter, Director*  
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The amendment proposed to strike all the provisions in the bill related to the Ground Water Oil Clean-up Fund and instead to require the Department of Environmental Protection to conduct and report on 3 studies, including a review of the current framework for regulating aboveground oil storage tanks, a review of the insurance coverage available for cleanup of prohibited discharges of oil and a review of the Ground Water Oil Clean-up Fund. The amendment proposed to authorize the joint standing committee of the Legislature having jurisdiction over natural resources matters to report out legislation relating to these studies.

**House Amendment "A" to Committee Amendment "A" (H-1049)** proposed to remove the authority of the joint standing committee of the Legislature having jurisdiction over natural resource matters to report out legislation regarding the reports received from the Department of Environmental Protection.

***Enacted law summary***

Public Law 1999, chapter 714 enacts a statute of limitations for the Board of Underground Oil Storage Tank Installers to bring an action against a certified underground oil storage tank installer relating to a tank or equipment installed on or after September 16, 1991. Such an action must be brought within 3 years of discovery of a violation but no more than 15 years from the date of installation.

The law requires the Department of Environmental Protection to convene a task force to review the current framework for regulating aboveground oil storage tanks and submit a report on field-constructed bulk storage tanks by March 1, 2001 and a report on aboveground oil storage tanks by January 2, 2002; it requires the department to review the insurance coverage available for cleanup of prohibited discharges of oil and submit a report by May 15, 2001 with its findings and any recommendations; and it requires the department to review, in consultation with the Fund Insurance Review Board, the Ground Water Oil Clean-up Fund and submit a report by December 15, 2000 with its findings and recommendations.

**LD 2442**

**An Act Regarding the Solid Waste Hauling and Disposal Industry**

**PUBLIC 773**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH	OTP-AM MAJ ONTP MIN	H-1086 H-1177 TOWNSEND

LD 2442 proposed to require advance notification to the Department of the Attorney General when controlling stock or substantial assets of a business engaged in solid waste hauling, incineration or residue disposal are acquired.

**Committee Amendment "A" (H-1086)**, the majority report of the committee, proposed to change the title of the bill and to limit the application of the notice requirement to those persons acquiring controlling stock or substantial assets used in solid waste or residue hauling from a business that is primarily engaged in solid waste or residue hauling and that employs more than 5 individuals. The amendment also proposed to establish a repeal date of 90 days after adjournment of the First Regular Session of the 120th Legislature for the notice requirement.

The amendment proposed to establish the Task Force to Study Market Power Issues Related to the Solid Waste Hauling and Disposal Industry, composed of 5 members of the Joint Standing Committee on Natural Resources, to conduct a study of market power issues in all aspects of the public and private solid waste hauling and disposal industry. The amendment proposed to require the task force to submit an interim

report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by December 6, 2000 and a final report by December 5, 2001.

**House Amendment "B" to Committee Amendment "A" (H-1177)** proposed to provide for the replacement of legislative members on the task force and to change the date by which appointments to the task force must be made.

***Enacted law summary***

Public Law 1999, chapter 773 requires advance notification to the Department of the Attorney General when controlling stock or substantial assets are acquired from a business that is primarily engaged in solid waste or residue hauling and that employs more than 5 individuals. The law establishes a repeal date of 90 days after adjournment of the First Regular Session of the 120th Legislature for the notice requirement.

The law establishes the Task Force to Study Market Power Issues Related to the Solid Waste Hauling and Disposal Industry, composed of 5 members of the Joint Standing Committee on Natural Resources, to conduct a study of market power issues in all aspects of the public and private solid waste hauling and disposal industry. The law specifies that the task force shall submit an interim report to the joint standing committee of the Legislature having jurisdiction over natural resources matters by December 6, 2000 and a final report by December 5, 2001.

**LD 2470**

**An Act to Fund the Lakes Heritage Trust Fund**

**P & S 98**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE PINGREE	OTP-AM	H-972 S-755 MICHAUD

LD 2470 proposed to allocate penalties levied by the Department of Environmental Protection for violations of laws related to great ponds to the Lakes Heritage Trust Fund.

**Committee Amendment "A" (H-972)** proposed to replace the bill and change the title. The amendment proposed to appropriate \$20,000 to the Lakes Heritage Trust Fund.

**Senate Amendment "A" to Committee Amendment "A" (S-755)** proposed to clarify that the funds are appropriated on a one-time basis.

***Enacted law summary***

Private and Special Law 1999, chapter 98 makes a one-time appropriation of \$20,000 to the Lakes Heritage Trust Fund.