

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).

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 & 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&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 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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B DAIGLE	OTP-AM	H-1113 MARTIN S-628

LD 2565 proposed to provide that when the State Planning Office finds that 4 years or less of licensed and available disposal capacity for municipal solid waste or special waste remains within the State or that this capacity will soon be available only at a single facility, the office would be required to submit a report recommending the construction and operation of a state-owned solid waste disposal facility to the joint standing committee of the Legislature having jurisdiction over natural resources matters. The bill proposed to require the office to submit a similar report when, in consultation with a regional solid waste management association, it found that disposal capacity is projected to be needed for certain types of wastes and the regional association is not able to pursue the siting, establishment and operation of a solid waste disposal facility.

Committee Amendment "A" (S-628) proposed to specify that the triggers for when the State Planning Office must submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters recommending the construction and operation of a state-owned solid waste disposal facility are when the office finds that 4 years or less of licensed and available disposal capacity for municipal solid waste or special waste remains within the State or that within 4 years this capacity will be available only at a single facility. The report would recommend the construction and operation of a facility for the disposal of the type of waste for which capacity is needed.

The amendment proposed to require that a report submitted by the office recommending construction of a state-owned facility for either municipal solid waste or special waste or to meet the needs of a regional association for disposal of certain other types of waste must include a review of disposal options outside of the State; a review of existing efforts to reduce, reuse, recycle, compost and incinerate the affected waste streams and the impact of these efforts on capacity requirements; a thorough economic analysis of the facility's expected costs; and commitments from entities to utilize the facility and projected revenues.

House Amendment "A" to Committee Amendment "A" (H-1113) proposed to remove the requirement that the State Planning Office submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters when the office finds that within 4 years licensed and available disposal capacity for municipal solid waste or special waste will be available only at a single facility.

Enacted law summary

Public Law 1999, chapter 736 provides that the trigger for when the State Planning Office must submit a report to the joint standing committee of the Legislature having jurisdiction over natural resources matters recommending the construction and operation of a state-owned solid waste disposal facility is when the office finds that 4 years or less of licensed and available disposal capacity for municipal solid waste or special waste remains within the State. The report must recommend the construction and operation of a facility for the disposal of the type of waste for which capacity is needed.

The law requires that a report submitted by the office recommending construction of a state-owned facility for either municipal solid waste or special waste or to meet the needs of a regional association for disposal

of certain other types of waste must include a review of disposal options outside of the State; a review of existing efforts to reduce, reuse, recycle, compost and incinerate the affected waste streams and the impact of these efforts on capacity requirements; a thorough economic analysis of the facility's expected costs; and commitments from entities to utilize the facility and projected revenues.

LD 2581

An Act to Prevent the Spread of Invasive Aquatic Plants

**PUBLIC 722
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMPSON TREAT	OTP-AM	H-1105 THOMPSON H-970

LD 2581 proposed to prohibit the importation into state waters of Eurasian water milfoil, a nonnative aquatic plant. The bill also proposed to require that the Commissioner of Environmental Protection, in conjunction with the Commissioner of Inland Fisheries and Wildlife, post at public boat launches in the State notice of the prohibition and the steps necessary to remove milfoil from a boat.

Committee Amendment "A" (H-970) proposed to add an emergency preamble and clause to the bill. The amendment proposed to require the Department of Environmental Protection to prepare and make available educational materials to inform the public about invasive aquatic plants and to investigate and document the occurrence of invasive aquatic plants. It also proposed to authorize the department to undertake activities to control invasive aquatic plants.

The amendment proposed to prohibit the transportation of aquatic plants on public roads, to prohibit the possession, importation, cultivation, transportation or distribution of invasive aquatic plants in a manner that could cause the plant to get into any state waters and to prohibit the sale of invasive aquatic plants after September 1, 2000.

The amendment proposed to require the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to submit a report on invasive aquatic species control, including recommendations and implementing legislation, to the joint standing committees of the Legislature having jurisdiction over natural resources matters and inland fisheries matters by January 15, 2001.

House Amendment "B" to Committee Amendment "A" (H-1105) proposed to remove from the committee amendment language specifically authorizing law enforcement officers to detain vehicles, boats, personal watercraft, boat trailers or other equipment.

Enacted law summary

Public Law 1999, chapter 722 requires the Department of Environmental Protection to undertake an educational program and a control program related to invasive aquatic plants. The law prohibits the transportation of aquatic plants on public roads, prohibits the possession, importation, cultivation, transportation or distribution of invasive aquatic plants in a manner that could cause the plant to get into any state waters and prohibits the sale of invasive aquatic plants after September 1, 2000.

Public Law 1999, chapter 722 was enacted as an emergency measure effective April 14, 2000.