

# 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  
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

**Resolve, to Require the Board of Environmental Protection and the  
Maine Land Use Regulation Commission to Adopt Consistent Rules  
Regarding Cutting and Removal of Vegetation**

Sponsor(s)

Committee Report  
OTP-AM

Amendments Adopted  
H-1072

LD 2604 proposed to implement the recommendations of the Department of Environmental Protection relating to measures to reduce nonpoint source pollution and improve water quality. The bill proposed to amend the natural resources protection laws to require a permit for the cutting or removal of vegetation, other than for farming or forest management activities, within 25 feet of small mapped streams. The bill proposed to require that sellers of residential real property and real estate brokers disclose additional information regarding subsurface wastewater disposal systems and information regarding land use laws affecting property located within the shoreland zone. The bill also proposed to require the Department of Environmental Protection and the Department of Human Services to submit a report to the Legislature by January 15, 2001 with recommendations for requiring inspections of old subsurface wastewater disposal systems at the time of real estate transfers.

**Committee Amendment "A" (H-1072)** proposed to direct the Board of Environmental Protection and the Maine Land Use Regulation Commission to adopt major substantive rules to regulate the cutting and removal of vegetation, other than timber harvesting activities, in areas adjacent to rivers, streams, ponds, wetlands and tidal waters. It proposed to require that the rules retain standards established under the laws related to mandatory shoreland zoning and natural resources protection when those standards are consistent. The amendment would not affect current laws and rules, as amended, that regulate the cutting or removal of vegetation prior to final adoption of the rules authorized by this amendment. The amendment proposed to authorize the joint standing committee of the Legislature having jurisdiction over natural resources matters to report out a bill to the Second Regular Session of the 120th Legislature to amend statutes administered by the Department of Environmental Protection and the Maine Land Use Regulation Commission related to the cutting and removal of vegetation.

The amendment also proposed to require the Department of Environmental Protection, the Maine Land Use Regulation Commission and the Bureau of Forestry to jointly develop and implement an educational initiative to inform the public in all areas of the State about the standards for the cutting and removal of vegetation.

***Enacted law summary***

Resolve 1999, chapter 116 directs the Board of Environmental Protection and the Department of Conservation, Maine Land Use Regulation Commission to adopt and submit to the Legislature major substantive rules to regulate the cutting and removal of vegetation, other than timber harvesting activities, in areas adjacent to rivers, streams, ponds, wetlands and tidal waters. The law authorizes the joint standing committee of the Legislature having jurisdiction over natural resources matters to report out a bill to the Second Regular Session of the 120th Legislature to amend statutes administered by the Department of Environmental Protection and the Maine Land Use Regulation Commission related to the cutting and removal of vegetation.

The law also requires the Department of Environmental Protection, the Maine Land Use Regulation Commission and the Bureau of Forestry within the Department of Conservation to jointly develop and implement an educational initiative to inform the public in all areas of the State about the standards for the cutting and removal of vegetation.

**LD 2615**

**Resolve, Regarding Legislative Review of Chapter 119: Motor Vehicle Fuel Volatility Limit, a Major Substantive Rule of the Department of Environmental Protection**

**RESOLVE 100  
EMERGENCY**

Sponsor(s)

Committee Report  
OTP

Amendments Adopted

LD 2615 proposed to provide for legislative approval of Chapter 119: Motor Vehicle Fuel Volatility Limit, a major substantive rule of the Department of Environmental Protection.

***Enacted law summary***

Resolve 1999, chapter 100 provides for legislative approval of Chapter 119: Motor Vehicle Fuel Volatility Limit, a major substantive rule of the Department of Environmental Protection.

Resolve 1999, chapter 100 was finally passed as an emergency measure effective April 5, 2000.

**LD 2621**

**An Act to Extend the Removal Deadline for Certain Repaired Concrete Underground Oil Storage Tanks**

**PUBLIC 640**

Sponsor(s)  
CAREY  
TESSIER

Committee Report  
OTP-AM

Amendments Adopted  
S-618

LD 2621 proposed to extend by 15 months the date after which a person may not operate, maintain or store oil in certain underground oil storage facilities and tanks.

**Committee Amendment "A" (S-618)** proposed to extend the date after which a person may not operate, maintain or store oil in certain underground oil storage tanks to July 1, 2002. It also proposed to provide that the tank piping must be subject to monthly visual inspection.

***Enacted law summary***

Public Law 1999, chapter 640 extends the date after which a person may not operate, maintain or store oil in certain underground oil storage tanks to July 1, 2002. It also provides that the tank piping must be subject to monthly visual inspection.