

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

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*

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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).

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.

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>
	OTP	

LD 2639, reported by the Joint Standing Committee on Natural Resources pursuant to Public Law 1999, chapter 505, Part B, section 8, proposed to extend the date of final disbursement of funds from the Wells Waste Oil Clean-up Fund from April 1, 2000 to June 30, 2000 and to clarify that eligibility for loans or grants from the fund are limited to persons who are participants in a settlement agreement under which an entity has assumed liability for total response costs at the Wells waste oil disposal site.

Enacted law summary

Public Law 1999, chapter 604, reported by the Joint Standing Committee on Natural Resources pursuant to Public Law, extends the date of final disbursement of funds from the Wells Waste Oil Clean-up Fund from April 1, 2000 to June 30, 2000 and clarifies that eligibility for loans or grants from the fund are limited to persons who are participants in a settlement agreement under which an entity has assumed liability for total response costs at the Wells waste oil disposal site.

Public Law 1999, chapter 604 was enacted as an emergency measure effective March 31, 2000.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KIEFFER DUNLAP	OTP-AM	H-1051 MARTIN S-629

LD 2642 proposed to require fish hatcheries, other than offshore aquaculture operations in estuarine or marine waters, to have a nutrient management plan under the nutrient management laws. It proposed to exempt fish hatcheries from needing a discharge license under the Department of Environmental Protection.

Committee Amendment "A" (S-629) proposed to require fish hatcheries, other than off-shore marine aquaculture operations, to have a nutrient management plan in accordance with rules adopted by the Commissioner of Agriculture, Food and Rural Resources. A nutrient management plan for a fish hatchery would address storage, management and use of fish waste from the hatchery. The amendment proposed to strike the emergency preamble and the emergency clause from the bill.

House Amendment "A" to Committee Amendment "A" (H-1051) proposed to require the nutrient management plan for a fish hatchery to have as its goal the improvement of water quality.

Enacted law summary

Public Law 1999, chapter 726 requires fish hatcheries, other than off-shore marine aquaculture operations, to have a nutrient management plan in accordance with rules adopted by the Commissioner of Agriculture, Food and Rural Resources. A nutrient management plan for a fish hatchery must address storage, management and use of fish waste from the hatchery with the goal of improving water quality.

LD 2674

An Act to Protect Maine Jobs and Natural Resources

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAWRENCE HATCH	ONTP	

LD 2674 proposed to amend the site location of development laws to place certain restrictions on companies developing a significant groundwater aquifer for the purpose of selling bottled water. It proposed to require that an employer who operates an existing public water system, primarily distributes bottled water, has employees in this State and develops a significant groundwater aquifer may not discriminate against its current employees when hiring for the newly developed facility. The employer would be required to offer existing employees in good standing the opportunity to transfer to the same or a similar position, at the same or a similar wage, in the new facility.

LD 2688

An Act to Establish Clean-up Standards for Decommissioning Nuclear Facilities

PUBLIC 741

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KILKELLY RINES	OTP-AM	S-713

LD 2688 proposed to change the definition of “low-level radioactive waste” to exclude radioactive material remaining at the site of a decommissioned nuclear power plant if the site meets the United States Nuclear Regulatory Commission's requirements for release, is not used to dispose of radioactive material generated by a facility other than the plant and meets a state radiation dose standard established by the bill (same as that included in the final enacted version of LD 2496). The bill proposed to provide that if radioactive material is relocated and buried on the site and the site only meets less stringent federal standards, the site would be considered a low-level radioactive waste disposal facility subject to approval by the voters in a statewide referendum.

Committee Amendment "A" (S-713) proposed to modify the bill to provide that construction demolition debris at the site of a decommissioned nuclear power plant, other than below-grade, intact structures, must be treated as low-level radioactive waste unless the material can meet federal standards established for unrestricted use. Below-grade, intact structures on the site would be exempted from treatment as low-level radioactive waste only if the site meets the other enhanced state standards established by the bill. This amendment also proposed to remove from the bill language that would classify waste based on whether it is