

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
120th Legislature*

First Regular Session

*Bill Summaries
Joint Standing Committee
on
Natural Resources*

August 2001

Staff:

*Patrick T. Norton, Principal Analyst
Susan Z. Johannesman, Legislative Analyst*

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

Members:

*Sen. John L. Martin, Chair
Sen. Tom Sawyer, Jr.
Sen. Kevin L. Shorey*

*Rep. Scott W. Cowger, Chair
Rep. Joseph E. Clark
Rep. Robert W. Duplessie
Rep. Christina L. Baker
Rep. Joanne T. Twomey
Rep. Theodore Koffman
Rep. Robert A. Daigle
Rep. David L. Tobin
Rep. James D. Annis
Rep. Richard A. Crabtree*



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

120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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:

CARRIED OVER..... *Bill Carried Over to Second Regular Session*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Natural Resources

LD 1404

Resolve, to Create a Stakeholders Group to Modernize Maine's Clean Air Policy

DIED ON
ADJOURNMENT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAIGLE MARTIN	OTP-AM	H-301 H-425 COWGER

LD 1404 proposed to establish a stakeholders study group to study and recommend changes to Maine's clean air laws.

Committee Amendment "A" (H-301) proposed to direct the Commissioner of Environmental Protection to convene the Air Quality Advisory Committee. Membership on the committee would have included representatives of various interests, including Legislative members. The duties of the committee included considering possible future air control strategies, agreements for control strategies with 3rd-party groups, acid and heavy metal deposition, emissions trading and toxic air emissions issues. The committee would have been staffed by the Department of Environmental Protection and would have submitted a report of its findings and recommendations, together with any necessary implementing legislation, to the Second Regular Session of the 120th Legislature no later than November 15, 2001. The amendment also added an appropriation section and a fiscal note to the resolve.

House Amendment "A" to Committee Amendment "A" (H-425) proposed to correct an internal reference to the Air Quality Advisory Committee.

LD 1408

An Act to Pay for Cleanup of Contamination at a Waste Oil Disposal Site in Plymouth

PUBLIC 356
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY MARTIN	OTP-AM	H-496

LD 1408 proposed to amend State law to address the liability of persons who sent waste oil and other hazardous matter to a handling facility in Plymouth. The bill proposed to provide grants and loans for all response costs at the Plymouth waste oil site. Under the proposal, responsible parties would have been eligible for grants of up to \$75,000 if they employed 50 or fewer people or had annual gross sales of \$5,000,000 or less. State agencies, municipalities and school districts that are responsible parties at the site would have been eligible for grants and loans. The expanded grant and loan program was expected to cost the State about \$7,500,000. Revenues would have been obtained from unused money previously transferred to the fund from the Maine Rainy Day Fund and the Underground Oil Storage Tank Replacement Fund and from an additional one-time transfer of \$4,300,000 from the Maine Rainy Day Fund.

Committee Amendment "A" (H-496) proposed to amend state law to address the past cost settlement, remedial study costs and time-critical removal action costs of persons who sent waste oil and other hazardous matter to a handling facility in Plymouth. It authorized the Finance Authority of Maine, or "FAME," to use money in the Waste Oil Clean-up Fund for loans for remedial study costs, past settlement costs and time-critical removal action costs associated with the Plymouth waste oil site. It amended the loan eligibility criteria. It specified that loans

Joint Standing Committee on Natural Resources

may not be used to pay attorney's fees. It authorized FAME to condition loan payments on receipt of an ability-to-pay determination from the United States Environmental Protection Agency, or "EPA." It required loan applications to be received by FAME within 90 days after the effective date of this Act. It deferred repayment of the loans until a final remedy at the site and the cost of the final remedy are determined. It directed FAME to prorate the amount of the loan available to each applicant, if the total amount of loan requests exceeds funds available. It required FAME to establish a registry of persons who qualify for the loans. It had a transition provision for loans received under the previous Plymouth remedial study loan program. It authorized the Joint Standing Committee on Natural Resources to report out legislation during the Second Regular Session of the 120th Legislature relating to clean-up costs and remedial activities at the Plymouth site. It added a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 356 amends the law to address the past cost settlement, remedial study costs and time-critical removal action costs of persons who sent waste oil and other hazardous matter to a handling facility in Plymouth.

1. It authorizes the Finance Authority of Maine, or "FAME," to use money in the Waste Oil Clean-up Fund for loans for remedial study costs, past settlement costs and time-critical removal action costs associated with the Plymouth waste oil site.
2. It amends the loan eligibility criteria.
3. It specifies that loans may not be used to pay attorney's fees.
4. It authorizes FAME to condition loan payments on receipt of an ability-to-pay determination from the United States Environmental Protection Agency, or "EPA."
5. It requires loan applications to be received by FAME within 90 days after the effective date of this Act.
6. It defers repayment of the loans until a final remedy at the site and the cost of the final remedy are determined.
7. It directs FAME to prorate the amount of the loan available to each applicant, if the total amount of loan requests exceeds funds available.
8. It requires FAME to establish a registry of persons who qualify for the loans.
9. It has a transition provision for loans received under the previous Plymouth remedial study loan program.
10. It authorizes the Joint Standing Committee on Natural Resources to report out legislation during the Second Regular Session of the 120th Legislature relating to clean-up costs and remedial activities at the Plymouth site.

Chapter 356 was enacted as an emergency measure effective June 4, 2001.