

MAINE STATE LEGISLATURE

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*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*

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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

**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

2. Requiring product manufacturers to provide information on mercury content to hospitals upon request;
3. It restricts the sale and distribution of certain mercury-added products, including fever thermometers and manometers used to measure vacuum in milking machines;
4. Restricting the sale and use of mercury and bans the use of mercury and mercury compounds in schools;
5. Requiring the Mercury Products Advisory Committee, as established under Public Law 1999, chapter 779, to report on whether and how manufacturers should be required to phase out the use of mercury in products;
6. Requiring the Department of Environmental Protection, in consultation with automobile manufacturers, dismantlers, recyclers and other interested parties, to report on whether and how automobile manufacturers should be required to phase out the use of mercury-added components;
7. Authorizing the Department of Environmental Protection to participate in a regional clearinghouse to coordinate the regulatory actions regarding mercury-added products; and
8. Repealing a section of a resolve requiring the Land and Water Resources Council to report annually on recommended mercury-reduction initiatives.

Committee Amendment "A" (H-417), the majority report of the Joint Standing Committee on Natural Resources, proposed to revise the manufacturer notification provision of the bill and to revise proposed requirements governing the sale or transfer of elemental mercury to exempt transactions for manufacturing or recycling purposes. The amendment also authorizes the handling of mercury thermometers in a manner consistent with standards applicable to universal waste under the United States Department of Environmental Protection's hazardous waste management rules.

House Amendment "A" (H-471) proposed that the disclosure requirements of the bill not apply to drugs that are approved by the United States Food and Drug Administration.

Senate Amendment "A" (S-247) proposed to remove the requirement to analyze each batch or lot of formulated products for mercury content and substituting a requirement to analyze the products at least annually.

Enacted law summary

Public Law 2001, chapter 373 reduces the release of mercury into the environment from consumer products.

LD 1666

An Act to Improve the Inspection and Maintenance of Underground Oil Storage Tanks

PUBLIC 231

Sponsor(s)
TOBIN D
MARTIN

Committee Report
OTP-AM

Amendments Adopted
H-316

Joint Standing Committee on Natural Resources

LD 1666 proposed to prevent discharges from underground oil storage tanks by prohibiting delivery of oil to bare steel and other nonconforming tanks that are illegal to operate under current law and to tanks that do not meet applicable annual inspection requirements intended to ensure the tank is properly maintained and functioning. The bill also proposed to establish a program to expand the pool of qualified persons who can inspect an underground storage tank, and amends the law governing the Underground Oil Storage Replacement Fund to provide financial assistance if substantial tank repairs are needed.

The bill also proposed to revise the law governing the Board of Underground Tank Installers to eliminate the requirement that one of the seats on the 7-member board be reserved for a representative from the Oil and Solid Fuel Board, the Plumbers' Examining Board or the State Board of Certification for Geologists and Soil Scientists.

Committee Amendment "A" (H-316) proposed to make the following changes to the bill:

1. It removed the bill provision that prohibits oil dealers from filling an underground oil storage tank that has not been inspected in accordance with state law;
2. It authorized the Department of Environmental Protection to take administrative enforcement action against the owner and operator of an underground oil storage tank if the tank has not been inspected as required under state law or repaired as necessary to correct any deficiencies discovered during the inspection; and
3. It prohibited oil dealers from filling a nonconforming underground oil storage tank, such as one that is not resistant to corrosion, provided the tank appears on a list of nonconforming tanks published by the department.

Enacted law summary

Public Law 2001, chapter 231 prevents discharges from underground oil storage tanks by prohibiting delivery of oil to bare steel and other nonconforming tanks that are illegal to operate under current law, establishes a program to expand the pool of qualified persons who can inspect an underground storage tank, and amends the law governing the Underground Oil Storage Replacement Fund to provide financial assistance if substantial tank repairs are needed.

This law also revises the Board of Underground Tank Installers to eliminate the requirement that one of the seats on the 7-member board be reserved for a representative from the Oil and Solid Fuel Board, the Plumbers' Examining Board or the State Board of Certification for Geologists and Soil Scientists. This law also authorizes the Department of Environmental Protection to take administrative enforcement action against the owner and operator of an underground oil storage tank if the tank has not been inspected as required under state law or repaired as necessary to correct any deficiencies discovered during the inspection, and prohibits oil dealers from filling a nonconforming underground oil storage tank, such as one that is not resistant to corrosion, provided the tank appears on a list of nonconforming tanks published by the department.