

# 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](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:

*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 1702**

**An Act to Amend the Enhanced Motor Vehicle Inspection Program**

**ONTP**

<u>Sponsor(s)</u> CRESSEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
------------------------------	--	---------------------------------	--	---------------------------

LD 1702 proposed to extend to the entire State the enhanced motor vehicle inspection program currently limited to motor vehicles registered in Cumberland County. Under this bill, the program would have applied statewide beginning on January 1, 2002 and would have been phased into the other counties over a 2-year period in the same manner in which the program was phased in when implemented in Cumberland County.

The bill also provided a tax credit in tax year 2002 for official inspection stations that purchased the catalytic converter diagnostic testing devices necessary to conduct the enhanced inspections and allowed a credit in 2003 and beyond for official inspection stations that would purchase a new testing device to replace one that failed.

The bill also required the Department of Environmental Protection to submit a revised state implementation plan to the United States Environmental Protection Agency that incorporated these changes into the enhanced motor vehicle inspection program.

**LD 1724**

**An Act to Provide for Remediation of Abandoned Landfills**

**PUBLIC 315**

<u>Sponsor(s)</u> DAGGETT		<u>Committee Report</u> OTP      MAJ ONTP     MIN		<u>Amendments Adopted</u>
------------------------------	--	---	--	---------------------------

LD 1724 proposed to clarify the authority of the Department of Environmental Protection to undertake or compel remediation of discharges from solid waste landfills. The purpose of the bill was to clarify the department's authority to deal with public health threats from municipal landfills that ceased operation before February 1, 1976 and from private landfills where the owner has gone out of business, is bankrupt or insolvent or can not be located.

### *Enacted law summary*

Public Law 2001, chapter 315 clarifies the authority of the Department of Environmental Protection to undertake or compel remediation of discharges from solid waste landfills. It "delinks" the closure and remediation aspects of the landfill program so it is clear that there are 2 parts: closure, which is almost entirely done and remediation, which will continue for the foreseeable future. It clarifies that municipalities are eligible for reimbursement by the State of 90% of landfill remediation costs provided remediation activities are performed in accordance with a plan approved by the department. It clarifies that the financial assurance requirement for post-closure care of solid waste facilities applies to all private facilities licensed by the Department of Environmental Protection, regardless of when the facilities were licensed, closed or ceased handling waste. Finally, it clarifies that money may be disbursed from the Maine Solid Waste Management Fund to abate public health threats from solid waste disposal without waiting until the threat becomes "imminent" and regardless of whether the threat stems from legal or illegal disposal activity.