

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed
during the Second Regular or First Special Sessions of the 123rd Maine
Legislature coming from the

JOINT STANDING COMMITTEE ON NATURAL RESOURCES

May 2008

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STATE OF MAINE
123RD LEGISLATURE
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**LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS**

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the Second Regular or First Special Sessions of the 123rd Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Natural Resources

LD 1946 An Act To Address Uncertified Practice of Underground Oil Storage Tank Installation and Inspection

PUBLIC 497

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	OTP-AM	H-692

The bill amends the law governing certification of underground oil storage tank installers and inspectors by the Board of Underground Oil Storage Tank Installers to provide a process to investigate allegations of uncertified practice and take action. The process established in the bill is consistent with the process given to other boards under the jurisdiction of the Department of Professional and Financial Regulation in Title 10, section 8003-C.

Committee Amendment "A" (H-692)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2007, chapter 497 amends the law governing certification of underground oil storage tank installers and inspectors by the Board of Underground Oil Storage Tank Installers to provide a process to investigate allegations of uncertified practice and take action. The process established in chapter 497 is consistent with the process given to other boards under the jurisdiction of the Department of Professional and Financial Regulation in Title 10, section 8003-C.

LD 1947 An Act To Clarify the Waste Motor Oil Disposal Site Remediation Program

PUBLIC 618

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN	OTP-AM	H-894

This bill amends the law to clarify the application of the waste motor oil disposal site remediation program.

1. It specifies that the premium is imposed on motor vehicle oil changes on construction equipment and logging equipment that are registered for road use.
2. It specifies that the premium applies to the changing of engine oil, transmission fluid, hydraulic fluid, gearbox oil and differential fluid and does not apply to the changing of brake fluid.
3. It specifies that if a motor vehicle oil change consists of the changing of multiple fluids, the premium is imposed on each type of fluid change.
4. It specifies that a premium is collected on all motor vehicle oil changes regardless of the ultimate disposition or use of the oil.
5. It specifies that an organization that is exempt from sales tax pursuant to the Maine Revised Statutes, Title 36, section 1760 is not exempt from the waste oil remediation premium.

Committee Amendment "A" (H-894)

This amendment replaces the bill. It repeals the premium on oil changes and enacts a premium on the first sale or distribution of bulk motor vehicle oil in the State. The premium is set at \$1.10 per gallon on bulk oil used in gasoline engines and 35¢ per gallon for bulk oil used in diesel combustion engines. The amendment changes the end