

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
NATURAL RESOURCES

JULY 1997

MEMBERS:

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Sen. John M. Nutting

Sen. Jeffrey H. Butland

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. 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 handled by the joint standing committees. It is organized alphabetically 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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<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>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

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

also proposed to clarify that assessments on the sale of water may not be the only source of revenue for funding of the Saco River Corridor Fund.

Enacted law summary

Public Law 1997, chapter 330 establishes the Saco River Corridor Fund in order to partially support the activities of the Saco River Corridor Commission. The law requires the commission to impose a fee of 1% on the sale of water and fire protection services by a water utility that draws water directly from the Saco River or from a groundwater source under the influence of the Saco River. The law requires the commission to report to the joint standing committee of the Legislature having jurisdiction over natural resource matters by January 15, 2001 on the sources of revenue used to support the activity and operations of the Saco River Corridor Commission. It also requires the committee to review the commission's funding by February 1, 2001 to determine whether sufficient sources of additional revenue have been obtained to support the activities of the commission.

LD 1217

An Act to Protect the State's Lakes, Rivers and Coastal Wetlands through a Comprehensive Watershed Protection Program

PUBLIC 519

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER	OTP-AM MAJ	H-746
TREAT	OTP-AM MIN	

LD 1217 proposed to authorize the Department of Environmental Protection to create and implement a comprehensive watershed protection program designed to protect the State's lakes, rivers, coastal wetlands and other surface waters from nonpoint source pollution. The program would address both existing and emerging pollution sources that can cause water bodies to experience significant changes in trophic condition, decline in cold water fisheries, harm to marine ecosystems and economic impacts due to these pollution-induced impacts.

Part A proposed to establish the overall program at the Department of Environmental Protection and also to establish a priority watershed program to provide focused attention to high priority watersheds at risk from development. Part A also proposed to require the department to coordinate its efforts with other departments, agencies, private and nonprofit entities involved in regulatory and nonregulatory approaches to watershed protection.

Part A also proposed to authorize the department to establish a compensation fee program, which would provide additional flexibility for new developments that must meet the requirements of the storm water laws of the Maine Revised Statutes, Title 38, section 420-D.

Part B proposed to authorize a General Fund bond issue in the amount of \$2,500,000 to fund the Priority Watershed Program.

Committee Amendment "A" (H-746), the majority report of the Joint Standing Committee on Natural Resources and the Joint Standing Committee on Appropriations and Financial Affairs, proposed to replace the bill. The amendment proposed to establish the Lakes Heritage Trust Fund for the purpose of protecting, preserving and enhancing the quality and value of the State's lakes and great ponds. The fund would be established in the Executive Department to be administered by the Land and Water Resources Council. The amendment also

proposed to authorize the Land and Water Resources Council to create and administer a comprehensive watershed protection program to ensure the development and implementation of locally supported watershed management plans.

The amendment proposed to establish a priority watershed protection grants program to be administered by the Department of Environmental Protection for the purpose of providing financial assistance to entities to conduct projects that implement best management practices or other management measures in order to reduce or eliminate nonpoint source pollution. The amendment proposed to specify that the grants program becomes effective only if a \$13,000,000 bond issue, including \$500,000 for mitigation of storm water pollution, is approved by the voters of the State.

Committee Amendment "B" (H-747), the minority report of the Joint Standing Committee on Natural Resources and the Joint Standing Committee on Appropriations and Financial Affairs, proposed to replace the bill. The amendment proposed to establish the Lakes Heritage Trust Fund for the purpose of protecting, preserving and enhancing the quality and value of the State's lakes and great ponds. The fund would be established in the Executive Department to be administered by the Land and Water Resources Council. The amendment also proposed to authorize the Land and Water Resources Council to create and administer a comprehensive watershed protection program to ensure the development and implementation of locally supported watershed management plans.

The amendment proposed to establish a priority watershed protection grants program to be administered by the Department of Environmental Protection for the purpose of providing financial assistance to entities to conduct projects that address nonpoint source pollution. It proposed to limit the use of any bond proceeds allocated to this program to financing capital improvements or purchasing tangible assets with useful lives greater than 10 years. The amendment proposed to specify that the grants program becomes effective only if a \$13,000,000 bond issue, including \$500,000 for mitigation of storm water pollution, is approved by the voters of the State.

This amendment was not adopted.

Enacted law summary

Public Law 1997, chapter 519 establishes the Lakes Heritage Trust Fund for the purpose of protecting, preserving and enhancing the quality and value of the State's lakes and great ponds. The fund is established in the Executive Department to be administered by the Land and Water Resources Council. The law also authorizes the Land and Water Resources Council to create and administer a comprehensive watershed protection program to ensure the development and implementation of locally supported watershed management plans.

The law establishes a priority watershed protection grants program to be administered by the Department of Environmental Protection for the purpose of providing financial assistance to entities to conduct projects that implement best management practices or other management measures in order to reduce or eliminate nonpoint source pollution. The law specifies that the grants program becomes effective only if a \$13,000,000 bond issue, including \$500,000 for mitigation of storm water pollution, is approved by the voters of the State.

Public Law 1997, chapter 561 authorizes a \$6,000,000 bond issue, including \$500,000 to mitigate storm water pollution, contingent upon ratification by the voters of the State, and amends Public Law 1997, chapter 519, to reflect the change in the amount of the bond issue.