

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:

Sen. Sharon Anglin Treat, Chair

Sen. John M. Nutting

Sen. Jeffrey H. Butland

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Rep. David C. Shiah

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Maine State Legislature

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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:

- 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*
- 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 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

Committee Amendment "A" (S-155) proposed to replace the bill. The amendment proposed to specify that an individual permit or federal consistency determination issued by the Department of Environmental Protection is required for maintenance dredging if the amount of material to be dredged exceeds 50,000 cubic yards. The amendment also proposed to clarify that if an individual permit is required for maintenance dredging, the applicant may update an alternatives analysis that has been conducted for the dredging project within the previous 10 years.

The amendment proposed to require that maintenance dredging may be performed with a permit by rule only if the applicant has been issued an individual permit for dredging in the same location within the last 10 years.

Enacted law summary

Public Law 1997, chapter 240 specifies that an individual permit or federal consistency determination issued by the Department of Environmental Protection is required for maintenance dredging if the amount of material to be dredged exceeds 50,000 cubic yards. The law also clarifies that if an individual permit is required for maintenance dredging, the applicant may update an alternatives analysis that has been conducted for the dredging project within the previous 10 years.

The law requires that maintenance dredging may be performed with a permit by rule only if the applicant has been issued an individual permit for dredging in the same location within the last 10 years.

LD 1435

**An Act to Clarify Reimbursement by Responsible Parties to the
Maine Coastal and Inland Surface Oil Clean-up Fund**

PUBLIC 188

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| LAWRENCE ETNIER | OTP-AM | S-128 |

LD 1435 proposed to authorize a state agency that has incurred costs related to oil spill response activities to establish an account for receipt of disbursements from the Maine Coastal and Inland Surface Oil Clean-up Fund. The bill proposed to require an agency seeking reimbursement to keep time records demonstrating the amount of spill response activities performed for which reimbursement is sought.

Committee Amendment "A" (S-128) proposed to clarify the bill by making the language regarding costs incurred in undertaking oil spill response activities consistent with existing language.

Enacted law summary

Public Law 1997, chapter 188 authorizes a state agency seeking reimbursement for costs incurred in undertaking oil spill response activities to establish an account for receipt of disbursements from the Maine Coastal and Inland Surface Oil Clean-up Fund. The law requires an agency seeking reimbursement to keep time records demonstrating the amount of spill response activities performed for which reimbursement is sought.