

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

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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

Resolve, Regarding Legislative Review of Chapter 500: Stormwater Management, a Major Substantive Rule of the Department of Environmental Protection, Bureau of Land and Water Quality

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-578
	OTP-AM MIN	H-754 ROWE

LD 1455 proposed to authorize adoption of Chapter 500: Stormwater Management, a major substantive rule of the Department of Environmental Protection, Bureau of Land and Water Quality.

Committee Amendment "A" (H-578), the majority report of the Joint Standing Committee on Natural Resources, proposed to remove the emergency preamble and emergency clause from the resolve. The amendment proposed to require that prior to final adoption of Chapter 500: Stormwater Management, a Major Substantive Rule of the Department of Environmental Protection, the rule be amended to provide an exception for certain small projects to the requirement that designs required as part of the application for an individual permit or a permit by rule must be prepared under the supervision of or designed by a registered professional engineer. The amendment proposed to require that the rule allow designs required for those small projects to be prepared by other land use professionals who are knowledgeable in storm water management.

The amendment also proposed to authorize the Joint Standing Committee on Natural Resources to report out legislation to the Second Regular Session of the 118th Legislature regarding application of the storm water management laws statewide and to existing sources.

Committee Amendment "B" (H-579), the minority report of the Joint Standing Committee on Natural Resources, proposed to remove the emergency preamble and emergency clause from the resolve. The amendment proposed to disapprove final adoption of Chapter 500: Stormwater Management, a Major Substantive Rule of the Department of Environmental Protection. This amendment was not adopted.

House Amendment "A" to Committee Amendment "A" (H-754) proposed to require the Commissioner of Environmental Protection to develop and report by January 15, 1998 to the Joint Standing Committee on Natural Resources measures to reduce the contribution of nonpoint service pollution to Maine lakes, streams and coastal waters from existing sources.

Enacted law summary

Resolve 1997, chapter 67 authorizes final adoption of Chapter 500: Stormwater Management, a major substantive rule of the Department of Environmental Protection, Bureau of Land and Water Quality, but requires that prior to final adoption, the rule be amended to provide an exception for certain small projects to the requirement that designs required as part of the application for an individual permit or a permit by rule must be prepared under the supervision of or designed by a registered professional engineer. The law requires that the rule allow designs required for those small projects to be prepared by other land use professionals who are knowledgeable in storm water management.

The law requires the Commissioner of Environmental Protection to develop and report by January 15, 1998 to the Joint Standing Committee on Natural Resources measures to reduce the contribution of nonpoint service pollution to Maine lakes, streams and coastal waters from existing sources. It also authorizes the committee to report out legislation to the Second Regular Session of the 118th Legislature regarding application of the storm water management laws statewide and to existing sources.