

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
121st Legislature*

First Regular Session

*Bill Summaries
Joint Standing Committee
on
Natural Resources*

July 2003

Staff:

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. Betheda G. Edmonds
Sen. W. Tom Sawyer, Jr.*

*Rep. Theodore Koffman, Chair
Rep. Joanne T. Twomey
Rep. Deborah J. Hutton
Rep. Elaine Makas
Rep. Thomas B. Saviello
Rep. Judd D. Thompson
Rep. Robert A. Daigle
Rep. David L. Tobin
Rep. Henry L. Joy
Rep. James D. Annis*

Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 arranged alphabetically by committee name 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 PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd 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>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</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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Natural Resources

LD 817 **An Act To Amend the Laws Governing Sand and Salt Sheds** **ONTP**

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

LD 817 proposed to continue to require Priority 1 and Priority 2 sand and salt storage projects to be completed pursuant to the schedule established in law and proposed to exempt Priority 3, Priority 4 and Priority 5 projects from being completed if these projects have not been completed as of October 15, 2003.

LD 829 **An Act To Strengthen the State's Air Toxics Laws** **ONTP**

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

LD 829 proposed to require the Board of Environmental Protection to adopt or amend its air emission standards to establish air toxics control standards that are at least as stringent as the air toxics control regulations adopted by the City of Biddeford. The bill proposed that the rules establishing these air toxics control standards are major substantive rules that must be submitted to the Joint Standing Committee on Natural Resources for its consideration during the Second Regular Session of the 121st Legislature.

LD 845 **An Act To Provide Leadership in Addressing the Threat of Climate Change** **PUBLIC 237**

<u>Sponsor(s)</u> KOFFMAN TREAT		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u> H-262
---------------------------------------	--	---	--	------------------------------------

LD 845 proposed to require new sources of greenhouse gases to be reported to the Department of Environmental Protection. It also proposed to require the department to create an inventory of greenhouse gas emissions associated with state-owned facilities and state-funded programs and to create a plan for reducing those emissions. The bill also proposed to require the department to enter into carbon emission reduction agreements with nonprofit organizations and businesses. Finally, the bill proposed to require the department to develop a long-term climate action plan for the State.

Committee Amendment "A" (H-262) was the report of a majority of the committee. The amendment proposed to replace the bill. The amendment proposed to direct the Department of Environmental Protection to create a greenhouse gas emissions inventory for state-owned facilities and state-funded programs; to seek to establish carbon emission reduction agreements with businesses and nonprofit organizations; to participate in a regional greenhouse gas registry; and to create an annual statewide greenhouse gas emissions inventory. The amendment also proposed to set state short-term, medium-term and long-term goals for the reduction of greenhouse gas emissions within the State. The amendment proposed to direct the Department of Environmental Protection to adopt a state climate action plan by July 1, 2004 and to direct the Department of Environmental Protection to evaluate, every 2 years, the State's progress toward meeting the reduction goals and to amend the action plan as

Joint Standing Committee on Natural Resources

necessary to ensure that the State can meet the reduction goals. The amendment also proposed that, beginning no earlier than 2008, the Department of Environmental Protection may recommend to the joint standing committee of the Legislature having jurisdiction over natural resources matters that the reduction goals be increased or decreased.

Enacted Law Summary

Public Law 2003, chapter 237 directs the Department of Environmental Protection to create a greenhouse gas emissions inventory for state-owned facilities and state-funded programs; to seek to establish carbon emission reduction agreements with businesses and nonprofit organizations; to participate in a regional greenhouse gas registry; and to create an annual statewide greenhouse gas emissions inventory. It also sets state short-term, medium-term and long-term goals for the reduction of greenhouse gas emissions within the State. It directs the Department of Environmental Protection to adopt a state climate action plan by July 1, 2004 and directs the Department of Environmental Protection to evaluate, every 2 years, the State's progress toward meeting the reduction goals and to amend the action plan as necessary to ensure that the State can meet the reduction goals. Beginning no earlier than 2008, the Department of Environmental Protection may recommend to the joint standing committee of the Legislature having jurisdiction over natural resources matters that the reduction goals be increased or decreased.

LD 851 **An Act To Test for and Reduce Mercury Emissions from Resource Recovery Facilities** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TWOMEY STRIMLING	ONTP	

LD 851 proposed to specifically require that the presence of mercury be tested for in the emissions of resource recovery facilities burning municipal waste. The bill also proposed to establish limits on mercury emission rates for a resource recovery facility that has the capacity to burn 100 tons per day or more of municipal waste and proposed to require facilities that burn more than 100 tons but less than 350 tons per day of municipal waste to be licensed.

LD 853 **An Act To Promote Livable, Affordable Neighborhoods** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SUSLOVIC BROMLEY	ONTP	

LD 853 proposed to establish the State Affordable Neighborhood Development Review Board within the Maine State Housing Authority and to establish standards for affordable neighborhood developments.