

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Natural Resources*

*August 2005*

**Members:**

*Sen. Scott W. Cowger, Chair  
Sen. John L. Martin  
Sen. Lois A. Snowe-Mello*

*Rep. Theodore S. Koffman, Chair  
Rep. Joanne T. Twomey  
Rep. Thomas B. Saviello  
Rep. Judd D. Thompson  
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Rep. Kimberley C. Rosen*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Natural Resources*

**LD 1218**

**Resolve, Directing the Department of Environmental Protection  
To Coordinate Regulation of Activities in Sand and Gravel Pits**

**ONTP**

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

LD 1218 proposed to require the Department of Environmental Protection to review the differing review and permit requirements that apply to activities that are undertaken in connection with sand and gravel pits; to direct the department to create one point of contact within the department for information regarding requirements for such activities and the status of various permitting applications; and to direct the department to develop a proposal by which to better coordinate the review, permitting and enforcement of those various review and permit requirements.

**LD 1219**

**An Act To Improve the Business Climate in Maine**

**ONTP**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| SAVIELLO<br>WOODCOCK | ONTP MAJ<br>OTP-AM MIN  |                           |

LD 1219 proposed to amend the mission of the Department of Environmental Protection to include consideration of maintenance of the State's economic viability. The bill also proposed to authorize the department, when a position becomes vacant through attrition, to hire an economist within its existing resources.

**Committee Amendment "A" (H-276)**, the minority report, proposed to amend the mission of the Department of Environmental Protection to direct the department to undertake the department's stated purposes with actions that protect natural resources and public health and promote a sustainable economy. The amendment also proposed to strike from the bill authorization for the department to employ an economist. This amendment was not adopted.

**LD 1255**

**An Act To Ensure Environmental Justice**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| STRIMLING         | ONTP MAJ<br>OTP-AM MIN  |                           |

LD 1255, a concept draft pursuant to Joint Rule 208, proposed to require the Commissioner of Environmental Protection to convene a working group on environmental justice, composed of various representatives, to assist the Department of Environmental Protection in developing an interagency environmental justice strategy. The bill would require the working group to take various actions relating to the development and implementation of environmental justice strategies.

**Committee Amendment "A" (S-219)**, the minority report, proposed to direct the Commissioner of Environmental Protection to convene a working group on environmental justice and to report the findings of the working group to the Joint Standing Committee on Natural Resources by February 15, 2006. This amendment was not adopted.