

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON NATURAL RESOURCES

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Natural Resources

**LD 1014 An Act To Ensure Reasonable and Equitable Land Use Opportunities
near Shorebird, Wading Bird and Waterfowl Habitat**

ONTP

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

This bill provides that the Department of Environmental Protection may not establish building setbacks that are in excess of 75 feet from shorebird feeding and staging areas; 150 feet from shorebird roosting areas; or 100 feet from inland wading bird and waterfowl areas. The bill exempts from department rules existing building lots and activities of clambers and worm diggers.

**LD 1089 An Act To Create the Maine Natural Resource and Environment
Efficiency Commission BY REQUEST**

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to create the Maine Natural Resource and Environment Efficiency Commission, referred to in this concept draft as "the commission," to methodically review the structure and operations of all state natural resources and environmental agencies and propose specific reforms to eliminate duplication and inefficiency. The specific elements of the commission are as follows.

1. The commission consists of 12 bipartisan members appointed jointly by the Governor and the leaders of the parties of each House of the Legislature with the largest number of members in each House and the second-largest number of members in each House. The members must be from the general public, be respected and known for their independent-mindedness and have expertise in natural resources, environmental policy, planning, administration, economics and engineering.
2. The goal of the commission is to ensure coordinated and unified natural resources conservation and environmental protection policies to support sustainable prosperity and quality locations in the State.
3. The commission is empowered to: A. Hire top-quality expert staff to conduct and subcontract sophisticated program analysis, manage information flows and prepare reports; B. Investigate and identify sources of administrative inefficiencies, program overlap and inefficiencies in the delivery of services; C. Develop a coherent set of reforms to streamline, reconfigure and improve the performance of state natural resource and environmental agencies and programs to yield about \$2,000,000 to \$6,000,000 a year in budget savings; and D. Develop criteria for evaluating state natural resources and environmental agencies with the assistance of the Office of Program Evaluation and Government Accountability, including criteria for administrative efficiency, program quality and effectiveness, potential overlap within and between state natural resource and environmental agencies and other state or local agencies or programs and overall cost-benefit concerns.
4. The commission would receive an appropriation of \$425,000 with which to hire staff and carry out its purposes.
5. Savings from the implementation of commission recommendations must be apportioned, with 75% going to reduce property taxes and 25% going to the acquisition of lands for the protection and preservation of biological diversity and rare, unique or endangered species.