

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

*Bill Summaries
Joint Standing Committee
on
Natural Resources*

August 2001

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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

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. 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*
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 **September 21, 2001**.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Natural Resources

Committee Amendment "A" (H-315) replaced the original bill with a resolve. The amendment proposed to direct the State Planning Office to convene a steering committee to study and design a system that could be utilized for a variety of planning purposes. The amendment required the steering committee to submit a report to the Joint Standing Committee on Natural Resources by January 15, 2002 and authorized the Joint Standing Committee on Natural Resources to introduce legislation to the Second Regular Session of the 120th Legislature. It also added a fiscal note to the bill.

Enacted law summary

Resolve 2001, chapter 23 directs the State Planning Office to convene a steering committee to study and design a statewide geographic information system that can be utilized for a variety of planning purposes. It requires the steering committee to submit a report to the Joint Standing Committee on Natural Resources by January 15, 2002 and authorizes the Joint Standing Committee on Natural Resources to introduce legislation to the Second Regular Session of the 120th Legislature.

LD 584

An Act to Encourage Agricultural Development

ONTP

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

LD 584 proposed to exempt agricultural projects smaller than 10 acres from the site location of development laws. The Board of Environmental Protection would have been directed to adopt routine technical rules to define what constitutes an agricultural project under the site location of development laws. In addition, the board would have been prohibited from adopting a definition of "agricultural project" without the prior approval of the Commissioner of Agriculture, Food and Rural Resources.

LD 589

An Act to Amend the Invasive Aquatic Plants Laws

ONTP

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

LD 589 proposed to make the following changes to the laws governing invasive aquatic plants to take effect immediately:

Establish authority and procedures for closure or relocation of state boat ramps and require the development of an integrated response plan

Amend the penalty provisions to remove the requirement to show intent, provide that only a warning may be issued prior to July 1, 2003 and change the forfeiture provisions to provide that a fine not to exceed \$1,500 could be adjudged for a violation occurring on or after July 1, 2003.

Joint Standing Committee on Natural Resources

Require the Land and Water Resources Council to report annually to the joint standing committee of the Legislature having jurisdiction over natural resource matters on the status of aquatic invasive species prevention and control in the State.

The bill also proposed to appropriate funds to further administer the invasive aquatic plant laws.

LD 612 **An Act to Permit Excavations Within 25 Feet of Streams** **ONTP**

<u>Sponsor(s)</u> MCALEVEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 612 proposed to amend the performance standards for excavations and for quarries by allowing the Department of Environmental Protection to grant a variance from the width requirement of a buffer strip from a river, stream or brook, provided the buffer strip was no less than 25 feet.

LD 650 **An Act Creating a Fund to Assist Towns with Public Water Sources that have Eurasian Milfoil** **ONTP**

<u>Sponsor(s)</u> WATERHOUSE BENNETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 650 proposed to create a fund within the Department of Environmental Protection to assist municipalities in controlling invasive aquatic plants that threatened municipal surface drinking water supplies. Financial assistance to municipalities under this program was subject to availability of funding. The bill also required the Department of Environmental Protection to report to the Joint Standing Committee on Natural Resources by January 15, 2002 with recommendations on sources of funding for this fund.

LD 671 **Resolve, to Direct the Bureau of Forestry to Provide Community Forestry Training to Towns** **RESOLVE 37**

<u>Sponsor(s)</u> GAGNON KOFFMAN		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-136
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LD 671 proposed to direct the State Planning Office within the Executive Office to offer community forestry training to towns and local planning boards. The resolve also directed the State Planning Office to develop a model ordinance to provide to towns that are interested in passing an ordinance for community forestry.