

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
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Joint Standing Committee on Natural Resources

LD 1045 **An Act to Ban the Permitting or Expansion of Existing Sewage Outfalls into the Ocean** **ONTP**

<u>Sponsor(s)</u> MURPHY T		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1045 proposed to ban new or expanded sewage outfalls into the ocean by sanitary districts.

LD 1105 **An Act to Reduce the Cost of Disposal for Municipalities and Encourage the Recycling of Electronic Equipment** **ONTP**

<u>Sponsor(s)</u> HAWES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1105, a concept draft pursuant to Joint Rule 208, proposed to establish a program under which used or obsolete electronic equipment accompanied by the purchase receipt could be returned to the place of purchase for recycling in lieu of disposal of such items at municipal waste facilities.

LD 1155 **An Act to Protect Maine Lakes from Milfoil and Other Invasive Plants** **ONTP**

<u>Sponsor(s)</u> MCKEE MARTIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1155 proposed to create a comprehensive program to protect Maine lakes from introductions of milfoil and other invasive aquatic plants and nuisance species. This bill established an emergency program of boat inspections, public information activities, lake monitoring and an emergency response program to eradicate new introductions of milfoil and other invasive aquatic plants and nuisance species. The emergency program was required to be implemented by July 1, 2001.

The bill also proposed to establish a Great Ponds Protection Council and required the council to coordinate the State's preparation of a comprehensive state plan that met the requirements of the federal National Invasive Species Act of 1996. Approval of the state plan by the federal Aquatic Nuisance Species Task Force is required under federal law for the State to have the opportunity to obtain up to 75% in federal matching funds for its invasive species lake protection program.

The bill also proposed to provide state funding for the nuisance species prevention boat trailer registration program through a combination of new boat trailer registration fees and increased boat registration fees. The bill gave the Commissioner of Environmental Protection authority to designate lakes and other bodies of water, or portions

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thereof, as invasive species containment areas. The commissioner was authorized to regulate the use of such containment areas to prevent the spread of invasive aquatic plants and nuisance species. The bill also proposed to authorize the Commissioner of Conservation and the Commissioner of Inland Fisheries and Wildlife to suspend the use of state boat launch facilities under the commissioners' respective jurisdictions as necessary to contain infestations of invasive aquatic species. To the extent consistent with the containment of the infestation, the commissioner suspending the use of a boat launch was required to provide alternate public access to the affected lake or body of water.

LD 1192 **An Act to Establish a Permanent Interagency Task Force on Aquatic and Terrestrial Invasive and Exotic Species** **ONTP**

<u>Sponsor(s)</u> SAVAGE W		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1192 proposed to establish a permanent Interagency Task Force on Aquatic and Terrestrial Invasive and Exotic Species.

LD 1199 **An Act to Allow Farm Ponds on Low-value Wetlands** **ONTP**

<u>Sponsor(s)</u> KNEELAND		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1199 proposed to amend the law to allow for the construction of farm ponds used for irrigation in low-value wetlands.

LD 1252 **An Act to Create Certainty in Maine's Air Quality Program** **PUBLIC 233**

<u>Sponsor(s)</u> MCKENNEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-298
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LD 1252 proposed to prohibit the Department of Environmental Protection, Board of Environmental Protection from adopting rules to implement the California Stage II Enhanced Vapor Recovery Program in Maine, as adopted by the California Air Resource Board on March 23, 2000. The bill proposed that any Stage II vapor recovery system installed in Maine prior to the effective date of the proposed Act could have been reviewed for certification only under rules in effect on the effective date of the proposed Act and was not subject to any more stringent standards subsequently adopted. The bill also proposed to make rules adopted by the board for Stage II gasoline station vapor recovery requirements major substantive rules and included a provision that repealed the statutory gasoline station vapor recovery requirements on January 1, 2008.

Committee Amendment "A" (H-298) proposed to prohibit the Department of Environmental Protection, Board of Environmental Protection from adopting rules to implement the California enhanced vapor recovery system in