

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

Staff:

*Patrick T. Norton, Principal Analyst
Susan Z. Johannesman, Legislative Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

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

directed the State Planning Office to develop the code by January 15, 2002 and report back to the Joint Standing Committee on Natural Resources by February 15, 2002. It also added a fiscal note to the bill.

Enacted law summary

Resolve 2001, chapter 29 directs the State Planning Office, with assistance from the Maine Building Rehabilitation Code Advisory Council, to develop a model building rehabilitation code for Maine, develop options for providing fiscal incentives for municipalities to adopt the model code and, to the extent funding is available, provide technical assistance and training in connection with the model code. It also creates the Maine Building Rehabilitation Code Advisory Council for the limited purpose of assisting the State Planning Office in developing the model code. It also directs the State Planning Office to develop the code by January 15, 2002 and report back to the Joint Standing Committee on Natural Resources by February 15, 2002.

LD 1348 **An Act to Ensure the Financial Stability and Effectiveness of
Certain Pollution Abatement Programs Administered by the
Department of Environmental Protection** **PUBLIC 230**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TWOMEY	OTP-AM	H-300

LD 1348 proposed to increase the annual license fees for overboard discharges throughout the State and to make several nonsubstantive clarifications and corrections to inconsistent language to the law.

Committee Amendment "A" (H-300) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 230 increases the annual license fees for overboard discharges throughout the State. The base fee is increased for all overboard discharges, and the discharge fee per gallon of wastewater is raised from \$0.02 per gallon to \$0.05. A reference to storm water discharges is removed from the general permit fee coverage. A small number of nonsubstantive clarifications and corrections to inconsistent language are also made. The law also clarifies that the units of measurement for nonconventional and toxic pollutants are to be in milligrams per liter.

LD 1354 **An Act to Restrict the Use of the Term "Maine Water" to Water
From Maine** **PUBLIC 174**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN COWGER	OTP	

LD 1354 proposed to prohibit the labeling or advertising of water as "Maine water" or "from Maine" unless the water is from a natural source in the State.

Joint Standing Committee on Natural Resources

Enacted law summary

Public Law 2001, chapter 174 prohibits the labeling or advertising of water as "Maine water" or "from Maine" unless the water is from a natural source in the State.

LD 1358

An Act to Require Truth in Advertising of Natural Water

PUBLIC 283

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN COWGER	OTP-AM	S-135

LD 1358 proposed to prohibit adding any additive, chemical or other substance to water for sale that is advertised or labeled as "natural."

Committee Amendment "A" (S-135) proposed to replace the bill and require that water sold in the State in containers and intended for human consumption must identify the location of the water body, well or public water supply from which the water was obtained.

Enacted law summary

Public Law 2001, chapter 283 requires that water sold in the State in containers and intended for human consumption must identify the location of the water body, well or public water supply from which the water was obtained.

LD 1398

An Act to Create a Sprawl Offset Tax

ONTP

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

LD 1398 proposed to establish a tax on the installation of new subsurface wastewater disposal systems in locations that were not included within a growth area designated by a municipality as part of a comprehensive planning process. The tax was equal to \$750 per toilet installed in residential facilities and \$1,000 per toilet installed in other facilities. The tax would be paid to the municipal plumbing inspector before a permit could be issued. The municipality retained 10% of the revenue to cover its collection costs. The remaining 90% of revenue was sent to the State and the net amount deposited 1/2 in the Municipal Investment Trust Fund to assist municipalities with public infrastructure improvements and downtown development and 1/2 in the Housing Opportunities for Maine Fund to support affordable housing.