

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 1454

Resolve, to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials

**RESOLVE 65
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| DUPLESSIE MARTIN | OTP-AM | H-445 S-376 BENNETT |

LD 1454 proposed to create a 14-member commission to study the establishment of the Department of Environmental Protection as the lead response agency in all emergency releases and spills of toxic or hazardous materials into the environment. In conducting the study, the commission was required to study the manner in which state, county and municipal governments respond to unplanned or emergency releases and spills of toxic or hazardous materials into the environment and to recommend any changes to laws, rules, ordinances or procedures in order to clearly establish the Department of Environmental Protection as the lead response agency in all geographic areas of the state for all such releases. The proposed commission was also required to make recommendations for any improvements to communications systems, equipment or training at the state, local or county level necessary to establish the department as the lead response agency for such releases.

Committee Amendment "A" (H-445) proposed to amend the duties of the commission. The amendment also proposed to add the Commissioner of Environmental Protection and the Commissioner of Labor and 2 members of private industry to the commission membership. The amendment also proposed to change the appointing authorities. The amendment also clarified that the commission would work with the private sector in undertaking its study and it provided legislative per diem to nonlegislative members of the commission who were not otherwise compensated for attending commission meetings. The amendment also proposed to require the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency to reimburse the Legislature for per diem and expenses for commission members who are Legislators and members who are not otherwise compensated and for costs incurred in printing the commission's report.

Senate Amendment "A" to Committee Amendment "A" (S-376) proposed to require the first meeting of the Commission to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials to be held by August 15, 2001. It also proposed to limit payment of a per diem for attendance at commission meetings to Legislators. The amendment added an emergency preamble and emergency clause.

Enacted law summary

Resolve 2001, chapter 65 establishes the Commission to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials. The 18-member commission is directed to study the manner in which state, county and municipal governments and private industry respond to unplanned or unlawful releases and spills of toxic or hazardous materials. The commission is to report its findings to the Second Regular Session of the 120th Legislature no later than December 5, 2001.

Chapter 65 was enacted as an emergency measure effective June 28, 2001.