

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Natural Resources*

May 2002

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Maine State Legislature
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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) 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..... 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
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 the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Natural Resources

matters pertaining to the information that may be requested by the department when registering fertilizers or pertaining to adulterated commercial fertilizers.

This law also states that changes to the agricultural laws pertaining to registering fertilizers and to the definition of adulterated fertilizers may not be construed to limit the authority of the Department of Environmental Protection to regulate the agronomic utilization of residuals under its laws or its rules.

Public Law 2001, chapter 670 was enacted as an emergency measure effective April 11, 2002.

LD 1962

Resolve, to Reduce Pollution of Androscoggin Lake by Repairing and Altering the Existing State-owned Barrier on Dead River in Leeds

RESOLVE 123

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCKEE NUTTING J	OTP-AM	H-902 S-580 GOLDTHWAIT

LD 1962, a concept draft pursuant to Joint Rule 208, proposed to reduce pollution to Androscoggin Lake originating from the Androscoggin River and thereby protect the lake's natural environment by directing the Department of Environmental Protection to take over ownership of, and immediate responsibility for the maintenance of, the pollution barrier located on the Dead River in Leeds, Maine known as the "Dead River Dam."

The bill also proposed to recommit up to \$20,000 in funds to the Land and Water Resources Council's Lakes Heritage Trust Fund, with the direction that these funds be made available to the Department of Environmental Protection to make needed repairs to the barrier and restore the barrier to its original design, working in cooperation with local stakeholders.

Committee Amendment "A" (H-902) proposed to change the bill to a resolve and change its title. The amendment proposed to provide the Department of Agriculture, Food and Rural Resources with \$40,000 to address emergency temporary repair issues at the state-owned dam on Dead River in the Town of Leeds, Androscoggin County. The amendment also proposed to provide the Department of Environmental Protection with \$20,000 to study the feasibility of and costs for options for permanent flood control structures on Dead River that eliminate or minimize the adverse environmental impacts to Androscoggin Lake resulting from polluted waters flowing into the lake from the Androscoggin River. The amendment also proposed to allow the Department of Environmental Protection to raise an additional \$15,000 for that study from local governments and private entities having an interest in Androscoggin Lake. The results of that study are to be reported by January 1, 2003 to the joint standing committee of the Legislature having jurisdiction over agricultural matters. The amendment also proposed to allow the committee to report out emergency legislation to the First Regular Session of the 121st Legislature.

The amendment also proposed to prohibit the Department of Agriculture, Food and Rural Resources from removing or seeking to remove the state-owned dam on Dead River in Leeds, Androscoggin County until the results of the Department of Environmental Protection study are known.

Senate Amendment "A" to Committee Amendment "A" (S-580) proposed to allocate funds from the Dam Repair and Reconstruction Fund for various projects pertaining to the Dead River in the Town of Leeds.

Joint Standing Committee on Natural Resources

Enacted law summary

Resolve 2001, chapter 123 provides the Department of Agriculture, Food and Rural Resources with \$40,000 to address emergency temporary repair issues at the state-owned dam on Dead River in the Town of Leeds, Androscoggin County. The law also provides the Department of Environmental Protection with \$20,000 to study the feasibility of and costs for options for permanent flood control structures on Dead River that eliminate or minimize the adverse environmental impacts to Androscoggin Lake resulting from polluted waters flowing into the lake from the Androscoggin River. The law also allows the Department of Environmental Protection to raise an additional \$15,000 for that study from local governments and private entities having an interest in Androscoggin Lake. The results of that study are to be reported by January 1, 2003 to the joint standing committee of the Legislature having jurisdiction over agricultural matters. The committee may report out emergency legislation to the First Regular Session of the 121st Legislature. The law also allocates funds from the Dam Repair and Reconstruction Fund for various projects pertaining to the Dead River in the Town of Leeds.

The law also prohibits the Department of Agriculture, Food and Rural Resources from removing or seeking to remove the state-owned dam on Dead River in Leeds, Androscoggin County until the results of the Department of Environmental Protection study are known.

LD 1964

An Act to Amend Certain Laws Administered by the Department of Environmental Protection

**PUBLIC 626
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN COWGER	OTP-AM	H-995 COWGER S-475

LD 1964 proposed to do the following.

1. Revise the membership of the Board of Underground Storage Tank Installers to provide flexibility in filling the seat currently allotted to the Maine Chamber of Commerce and Industry.
2. Extend the dioxin monitoring program from December 31, 2002 to December 31, 2007.
3. Require the Department of Environmental Protection to publish a list of municipalities determined to have capacity, as provided in the site law's capacity exemption, by January 1st of each year and removes a requirement that on and after January 1, 2003, the Department of Environmental Protection presume that each municipality with a population of 5,000 or more has capacity as provided in the site law's capacity exemption.
4. Require an underground oil storage facility to be registered with the Department of Environmental Protection at least 10 business days before the facility is installed.
5. Require owners of underground oil storage tanks, upon registration of the tanks with the Department of Environmental Protection, to provide information on tank location as necessary to determine if the tank meets siting restrictions enacted during the First Regular Session of the 120th Legislature.
6. Require owners of the underground oil storage tanks to provide a copy of the registration form to the municipality.