

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

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
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 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 arranged alphabetically by committee name 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:

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

LD 2069

An Act to Require Additional Transportation Information on the Maine Chemical Inventory Reporting Form

PUBLIC 533

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-836

LD 2069 is the recommendation of the Commission to Study the Implementation of a Unified Emergency Response for Emergency Releases and Spills of Toxic or Hazardous Materials. It proposed to require that a person required to submit a Maine chemical inventory reporting form that includes information regarding a description of the manner in which chemicals are shipped to a facility must also include standard and alternate transportation routes taken through Maine.

Committee Amendment "A" (H-836) proposed to add provisions to the bill stating that records held by the State Emergency Response Commission regarding standard and alternate transportation routes are confidential and therefore exempt from the public disclosure provisions of the freedom of access laws under the Maine Revised Statutes, Title 1, chapter 13, subchapter I. The amendment proposed to allow the State Emergency Response Commission to provide those records to state, county or local emergency management agencies or officials, but requires those agencies or officials to hold those records as confidential.

Enacted law summary

Public Law 2001, chapter 533, requires that a person required to submit a Maine chemical inventory reporting form that includes information regarding a description of the manner in which chemicals are shipped to a facility must also include standard and alternate transportation routes taken through Maine. The law also requires that records held by the State Emergency Response Commission regarding standard and alternate transportation routes are confidential and therefore exempt from the public disclosure provisions of the freedom of access laws under the Maine Revised Statutes, Title 1, chapter 13, subchapter I. The law also allows the State Emergency Response Commission to provide those records to state, county or local emergency management agencies or officials, but requires those agencies or officials to hold those records as confidential.

LD 2070

An Act to Establish the Community Preservation Advisory Committee

PUBLIC 648

Sponsor(s)

Committee Report
OTP-AM MAJ
ONTP MIN

Amendments Adopted
H-950
S-542 GOLDTHWAIT

LD 2070 proposed to implement a recommendation of the Joint Study Committee to Study Growth Management. It established the Community Preservation Advisory Committee as an ongoing entity to advise the Governor, the Legislature and the State Planning Office on matters relating to community preservation. The committee membership included the Director of the State Planning Office, Legislators and public members. It also proposed that staff assistance would be provided by the State Planning Office and the Legislative Council at the request of the chairs of the committee.

Committee Amendment "A" (H-950) proposed to decrease from 3 to 2 the number of Senate members of the Community Preservation Advisory Committee and add as a member the Director of the Maine Historic Preservation

Joint Standing Committee on Natural Resources

Commission. It also clarified one of the duties of the committee by providing that the committee shall review and make recommendations regarding options for establishing a state transferable development rights bank. It also directed the Maine State Housing Authority to provide compensation, with existing budgeted resources, for public members of the committee not otherwise reimbursed for their service on the committee.

Senate Amendment "A" to Committee Amendment "A" (S-542) was prepared pursuant to action taken by the Legislative Council on March 26, 2002. The amendment proposed to make changes to the Community Preservation Advisory Committee enabling statute to conform to the study commission guidelines. It limited the committee to 4 meetings a year, amended the staff assistance provision, changed the submission of the annual report and removed the General Fund appropriation.

Enacted law summary

Public Law 2001, chapter 648 establishes the Community Preservation Advisory Committee as an ongoing entity to advise the Governor, the Legislature and the State Planning Office on matters relating to community preservation. The committee membership includes the Director of the State Planning Office, Legislators, the Director of the Maine Historic Preservation Commission and public members. Staff is provided by the State Planning Office and the Legislative Council may provide drafting assistance with recommended legislation.

The Maine State Housing Authority is directed to provide compensation, with existing budgeted resources, for public members of the committee who are not otherwise reimbursed for their service on the committee.

LD 2071

An Act to Amend the Law Relating to Growth-related Capital Investments

PUBLIC 613

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 2071 proposed to implement a recommendation of the Joint Study Committee to Study Growth Management. It was intended to ensure that hospitals and other quasi-public facilities that use state or passed-through federal dollars are treated like other public entities regarding growth-related capital investments.

Enacted law summary

Public Law 2001, chapter 613 implements a recommendation of the Joint Study Committee to Study Growth Management. It is intended to ensure that hospitals and other quasi-public facilities that use state or passed-through federal dollars are treated like other public entities regarding growth-related capital investments.