

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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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
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Joint Standing Committee on Natural Resources

LD 2076

Resolve, Regarding Legislative Review of Amendments to Chapter 305, Permit by Rule Standard and Chapter 310, Wetland Protection Regarding Cutting and Removal of Vegetation, Major Substantive Rules of the Department of Environmental Protection

RESOLVE 97

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-920

LD 2076 proposed to provide for legislative review of amendments to Chapter 305, Permit by Rule Standard and Chapter 310, Wetland Protection Regarding Cutting and Removal of Vegetation, major substantive rules of the Department of Environmental Protection.

Committee Amendment "A" (H-920) proposed to replace the resolve and remove the emergency provisions of the resolve. The amendment proposed to require the Board of Environmental Protection to amend its provisionally adopted major substantive rules regarding the cutting and removal of vegetation adjacent to protected natural resources to remove unnecessary language. The amendment also proposed to direct the Department of Environmental Protection and the Maine Land Use Regulation Commission to evaluate the point system used by those agencies to define what constitutes a well-distributed stand of trees within a vegetative buffer between development and a regulated water body and to jointly report the results of that evaluation to the Joint Standing Committee of the Legislature having jurisdiction over protected natural resources no later than January 15, 2003. It also adds a fiscal note to the resolve.

Enacted law summary

Resolve 2001, chapter 97 requires the Board of Environmental Protection to amend its provisionally adopted major substantive rules regarding the cutting and removal of vegetation adjacent to protected natural resources to remove unnecessary language. The law also directs the Department of Environmental Protection and the Maine Land Use Regulation Commission to evaluate the point system used by those agencies to define what constitutes a well-distributed stand of trees within a vegetative buffer between development and a regulated water body and to jointly report the results of that evaluation to the Joint Standing Committee of the Legislature having jurisdiction over protected natural resources no later than January 15, 2003.

LD 2084

An Act Regarding Workers' Compensation and Liability Immunity Coverage for Emergency Management Forces

PUBLIC 614

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 2084 was 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 clarify who may call out and be called out to assist with emergency management activities. It also proposed to clarify who, while assisting with emergency management activities, may be deemed to be an employee of the State for purposes of immunity from liability and for purposes of workers' compensation coverage. The bill also changed the term "civil emergency preparedness" to "emergency management."