

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*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*

Members:

*Sen. John L. Martin, Chair
Sen. W. Tom Sawyer, Jr.
Sen. Kevin L. Shorey*

*Rep. Scott W. Cowger, Chair
Rep. Joseph E. Clark
Rep. Robert W. Duplessie
Rep. Christina L. Baker
Rep. Joanne T. Twomey
Rep. Theodore Koffman
Rep. Robert A. Daigle
Rep. David L. Tobin
Rep. James D. Annis
Rep. Richard A. Crabtree*



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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

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

Maine Land Use Regulation Commission the same as those established in laws and rules administered by the Department of Environmental Protection.

Resolve 2001, chapter 98 was finally passed as an emergency measure effective April 3, 2002.

LD 2099

An Act to Revise the Definition of Affordable Housing

PUBLIC 673

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-1075

LD 2099 proposed to implement a recommendation of the Joint Study Committee to Study Growth Management. It proposed to establish the State Affordable Neighborhood Development Review Board within the Maine State Housing Authority and establish standards for affordable neighborhood developments. It also amended the definition of affordable housing in the growth management laws.

Committee Amendment "A" (H-939) proposed to replace the bill. It proposed to establish the State Affordable Neighborhood Development Review Board within the Maine State Housing Authority and establish standards for affordable neighborhood development. The regulation of affordable neighborhood developments would have applied in municipalities that are part of a labor market area in which a median income household can not afford to purchase a median-priced home. This amendment was not adopted.

Committee Amendment "B" (H-1075) proposed to strike those portions of the bill that establish the State Affordable Neighborhood Development Review Board and that establish standards for affordable neighborhood developments. This amendment proposed to retain that portion of the bill that amends the definition of affordable housing in the growth management laws.

Enacted law summary

Public Law 2001, chapter 673 amends the definition of affordable housing in the growth management laws.

LD 2116

An Act to Establish the Maine Library of Geographic Information

PUBLIC 649

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-952
	ONTP MIN	S-552 GOLDTHWAIT

LD 2116 proposed to create the Maine Public Library of Geographic Information.

Committee Amendment "A" (H-952) proposed to require the Maine Public Library of Geographic Information Board to function in accordance with the Maine Administrative Procedure Act. It added as a purpose or duty of the board to develop appropriate internal services to facilitate access for and use of data by government agencies and the public. It provided that the library may not compete directly with private enterprise. It also replaced one member of the board who is responsible for overseeing GIS functions of a state department with the President of the Maine Science and Technology Foundation. The amendment also added a fiscal note to the bill.

Joint Standing Committee on Natural Resources

Senate Amendment "A " (S-552) proposed to change the name of the Maine Public Library of Geographic Information to "Maine Library of Geographic Information" and proposed to change the name of the Maine Public Library of Geographic Information Board to "Maine Library of Geographic Information Board."

Enacted law summary

Public Law 2001, chapter 649 creates the Maine Library of Geographic Information and the Maine Library of Geographic Information Board.

LD 2117 **Resolve, Regarding Legislative Review of Chapter 691, Section 3-A, Siting Restrictions for New Facilities, a Major Substantive Rule of the Bureau of Remediation and Waste Management within the Department of Environmental Protection** **RESOLVE 99 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-917
-------------------	--	-----------------------------------	--	------------------------------------

LD 2117 proposed to provide for legislative review of Chapter 691, Section 3-A, Siting Restrictions for New Facilities, a major substantive rule of the Bureau of Remediation and Waste Management within the Department of Environmental Protection.

Committee Amendment "A" (H-917) proposed to require that the rule be amended to state that the siting restrictions for new underground oil storage facilities contained in Section 3-A of the rules do not apply to new underground oil storage facilities that are registered and installed prior to August 1, 2002. The amendment also proposed to specify that no additional hearings or other formal proceedings are required on this rule prior to the Board of Environmental Protection within the Department of Environmental Protection finally adopting the rule in accordance with this resolve.

Enacted law summary

Resolve 2001, chapter 99 requires that the rule be amended to state that the siting restrictions for new underground oil storage facilities contained in Section 3-A of the rules do not apply to new underground oil storage facilities that are registered and installed prior to August 1, 2002. The law also specifies that no additional hearings or other formal proceedings are required on this rule prior to the Board of Environmental Protection within the Department of Environmental Protection finally adopting the rule in accordance with this resolve.

Resolve 2001, chapter 99 was enacted as an emergency measure effective April 3, 2002.