

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 2179

An Act Regarding the Clearing of Vegetation in Areas Adjacent to Protected Natural Resources

**PUBLIC 618
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-485 MARTIN

LD 2179 is the unanimous report of the Joint Standing Committee on Natural Resources and is reported pursuant to Resolve 1999, chapter 116. It proposed to make changes to the natural resources protection laws administered by the Department of Environmental Protection to provide the necessary statutory basis for major substantive rules to be adopted by the department that regulate the cutting and removal of vegetation, other than timber harvesting activities, in areas adjacent to protected natural resources. This bill is an emergency to ensure that the statutory changes take effect prior to the effective date of the major substantive rules approved earlier this session.

Senate Amendment "A" (S-485) proposed to delete the proposed forestry exemption that references "rules containing statewide standards for timber harvesting in shoreland areas administered by the Department of Conservation, Marine Forest Service" since those rules were not approved by the Legislature. The amendment also proposed to reinstate the current forestry exemption and broadens it to apply to activities adjacent to any protected natural resource except for significant wildlife habitat so that cutting of vegetation in those areas will not be regulated under this law. Forest management activities that qualify for this exemption will still be required to meet permit-by-rule standards for stream crossing and soil disturbance adjacent to a great pond, river, stream or brook.

Enacted law summary

Public Law 2001, chapter 618, changes the natural resources protection laws administered by the Department of Environmental Protection to provide the necessary statutory basis for major substantive rules to be adopted by the department that regulate the cutting and removal of vegetation, other than timber harvesting activities, in areas adjacent to protected natural resources.

Public Law 2001, chapter 618 was enacted as an emergency measure effective April 3, 2002.

LD 2186

Resolve, to Establish the Task Force to Study the Effectiveness of Stormwater Management in Developed Watersheds

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER TREAT	OTP-AM	H-1034

LD 2186 proposed to establish the Task Force to Study the Effectiveness of Stormwater Management in Developed Watersheds.

Committee Amendment "A" (H-1034) proposed to reduce the number of members on the Task Force to Study the Effectiveness of Stormwater Management in Developed Watersheds and removed the emergency preamble and emergency clause. It also added an appropriations and allocations section and a fiscal note.

Joint Standing Committee on Natural Resources

House Amendment "A" to Committee Amendment "A" (H-1074) proposed to remove the requirement that one of the members appointed by the Speaker of the House be a member of the political party that did not hold a majority of the seats in the House of Representatives.

LD 2208

**An Act Allowing for a Public Hearing Process for Certain Actions
Relating to Dams**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP MAJ	
	OTP MIN	

LD 2208 proposed to amend existing authority of the Commissioner of Environmental Protection to hold water level hearings and establish water levels by extending that authority to approximately 2 dozen dams in the State that were operating with a Federal Energy Regulatory Commission exemption. The bill also proposed to require the Commissioner of Environmental Protection to hold a public hearing when a dam was proposed to be abandoned or removed.