

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

*Bill Summaries
Joint Standing Committee
on
Natural Resources*

July 2003

Staff:

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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Sen. Betheda G. Edmonds
Sen. W. Tom Sawyer, Jr.*

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<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>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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Natural Resources

LD 242

Resolve, Relating to the Consideration of the Cumulative Effect on Protected Natural Resources

RESOLVE 14

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAIRCLOTH MARTIN	OTP-AM	H-134

LD 242 proposed to add a standard to the standards that must be met before a permit may be granted for activities such as dredging, bulldozing or construction on or over certain wetlands or protected natural resources. The new standard proposed to require a finding that the cumulative effect of the proposed activity will not be to unreasonably harm protected natural resources located on or adjacent to the project area.

Committee Amendment "A" (H-134) proposed to change the bill to a resolve and to direct the Department of Environmental Protection to convene a working group of interested parties to design a method for the consideration of cumulative effects on protected natural resources. It also proposed to direct the department to submit a proposal to the Joint Standing Committee on Natural Resources by January 5, 2004. The amendment also proposed to authorize the Joint Standing Committee on Natural Resources to report out legislation relating to the department's proposal during the Second Regular Session of the 121st Legislature.

Enacted Law Summary

Resolve 2003, chapter 14 directs the Department of Environmental Protection to convene a working group of interested parties to design a method for the consideration of cumulative effects on protected natural resources. It also directs the department to submit a proposal to the Joint Standing Committee on Natural Resources by January 5, 2004. It also authorizes the Joint Standing Committee on Natural Resources to report out legislation relating to the department's proposal during the Second Regular Session of the 121st Legislature.

LD 385

An Act to Change the Reporting Requirements for the Mercury Switch Removal Program

PUBLIC 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER SAWYER	OTP	

LD 385 proposed to move the date by which the Department of Environmental Protection must report on the effectiveness of source separation of mercury-added products from January 1, 2005 to January 1, 2004.

Enacted Law Summary

Public Law 2003, chapter 6 moves the date by which the Department of Environmental Protection must report on the effectiveness of source separation of mercury-added products from January 1, 2005 to January 1, 2004.