

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 623 **An Act To Amend Shoreline Zoning** **ONTP**

<u>Sponsor(s)</u> SAVIELLO		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 623 proposed to amend the shoreland zoning ordinance guidelines to allow thinning and pruning of vegetation within railroad rights-of-way.

LD 632 **An Act to Establish a Process to Classify Water Bodies as Impaired** **ONTP**

<u>Sponsor(s)</u> MCLAUGHLIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 632 proposed to establish a procedure to classify a body of water as impaired or nonattainment. The bill proposed that the Board of Environmental Protection within the Department of Environmental Protection may so designate a water body if the preponderance of the evidence demonstrates that the water body is not meeting classification criteria, that the designation will not contribute to sprawl and that the designation will not have an unreasonable impact on the local economy.

LD 633 **An Act To Provide for Local Approval of Existing or Former Hydropower Projects To Enable Prioritization of Renewable Indigenous Energy Generation in Maine** **ONTP**

<u>Sponsor(s)</u> FLETCHER STANLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 633 proposed to provide municipalities with the authority to override a decision made by the Department of Environmental Protection regarding construction or reconstruction of a hydropower project.

LD 645 **An Act to Provide Additional Financing for Costs Associated with the Remediation of a Waste Oil Site in Plymouth** **PUBLIC 129 EMERGENCY**

<u>Sponsor(s)</u> CARR STANLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-166
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LD 645 proposed to authorize the Finance Authority of Maine to provide interest-free loans to potentially responsible parties for the cost of implementing institutional controls at the federally designated Superfund site at Hows Corner in Plymouth.

Committee Amendment "A" (H-166) proposed to replace the bill. Like the bill, it proposed to authorize the Finance Authority of Maine to provide loans to potentially responsible parties for the cost of implementing

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institutional controls at the federally designated Superfund site at Hows Corner in Plymouth. The amendment also proposed to allow money in the loan fund to be used for attorney's fees incurred for the preparation of restrictive covenants for properties within the institutional control zone in order to implement the institutional controls. The amendment also proposed to provide that applications for loans must be submitted to the Finance Authority of Maine within 90 days after the effective date of the bill, as amended. Finally, the amendment proposed to delete the requirement for the Finance Authority of Maine to establish a registry of all persons who are eligible for loans.

Enacted Law Summary

Public Law 2003, chapter 129 authorizes the Finance Authority of Maine to provide loans to potentially responsible parties for the cost of implementing institutional controls at the federally designated Superfund site at Hows Corner in Plymouth. It also allows money in the loan fund to be used for attorney's fees incurred for the preparation of restrictive covenants for properties within the institutional control zone in order to implement the institutional controls. Applications for loans must be submitted to the Finance Authority of Maine within 90 days after the effective date of chapter 129. Finally, it deletes the requirement for the Finance Authority of Maine to establish a registry of all persons who are eligible for loans.

Public Law 2003, chapter 129 was enacted as an emergency measure effective May 13, 2003.

LD 651 **An Act To Address Reporting of Certain Low-quantity Oil Releases** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO MARTIN	ONTP	

LD 651 proposed to provide requirements for oil discharges of 50 gallons or less.

LD 670 **An Act Regarding the Disposal of Sludge** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HALL	ONTP	

LD 670 proposed to allow a municipality to enact stricter standards than the standards adopted by the Department of Environmental Protection for the storage and use of sludge, septage and composted sludge, provided the governing body of the municipality adopted the stricter standards after a public hearing was held. As proposed, the authority to adopt stricter standards would not apply to compost, manure or residuals. The bill also proposed to require a property owner to record information with the register of deeds if sludge, septage or composted sludge is spread on the owner's land.