

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Natural Resources*

May 2004

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Members:

*Sen. John L. Martin, Chair
Sen. Betheda G. Edmonds
Sen. W. Tom Sawyer, Jr.*

*Rep. Theodore Koffman, Chair
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Rep. Henry L. Joy
Rep. James D. Annis*



Maine State Legislature

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

121st Maine Legislature Second Regular Session and Second Special 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/billsumm.htm).

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
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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director

Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Natural Resources

LD 1806

An Act To Provide for the Safe Disposal of Household Hazardous Waste

PUBLIC 567

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CURLEY DAMON	OTP-AM	H-732

LD 1806 proposed to require municipal officials in each county to work together to designate an existing transfer station or recycling center in each county to accept household hazardous waste for disposal by residents of that county on a year-round basis. As proposed, the municipal officials may impose fees for the disposal of such household hazardous waste.

Committee Amendment "A" (H-732) proposed to require state agencies awarding grants or making discretionary investments under certain programs to give preference to a municipality that is part of a household hazardous waste collection region for the purpose of establishing collection centers to accept household hazardous waste for disposal by residents on a year-round basis.

Enacted Law Summary

Public Law 2003, chapter 567 requires state agencies awarding grants or making discretionary investments under certain programs to give preference to a municipality that is part of a household hazardous waste collection region for the purpose of establishing collection centers to accept household hazardous waste for disposal by residents on a year-round basis.

LD 1833

An Act To Amend Water Quality Laws To Aid in Wild Atlantic Salmon Restoration

PUBLIC 574

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN MARTIN	OTP-AM	H-731

LD 1833 proposed to aid in the restoration of wild Atlantic salmon in the State by allowing discharges into state waters for the purpose of restoring rivers or tributaries to a state that is closer to their historically natural physical, chemical and biological qualities.

Committee Amendment "A" (H-731) proposed to clarify the exception proposed in the bill for discharges intended to improve the habitat of Atlantic salmon. The amendment proposed to allow discharges to Class AA and Class A waters if the waters are or once were populated by a distinct population segment of Atlantic salmon as determined pursuant to the federal Endangered Species Act. Under the amendment, only 3 discharge licenses could be issued and the licenses could not be effective for more than 5 years from the date of issuance. The amendment also proposed to require the Atlantic Salmon Commission to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters concerning the discharge licenses and the status of Atlantic salmon restoration in connection with those licenses.

Joint Standing Committee on Natural Resources

Enacted Law Summary

Public Law 2003, chapter 574 allows discharges to Class AA and Class A waters if the waters are or once were populated by a distinct population segment of Atlantic salmon as determined pursuant to the federal Endangered Species Act. Under chapter 574, only 3 discharge licenses may be issued and the licenses may not be effective for more than 5 years from the date of issuance. Chapter 574 also requires the Atlantic Salmon Commission to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters concerning the discharge licenses and the status of Atlantic salmon restoration in connection with those licenses.

LD 1837

An Act Relating to the Consideration of the Cumulative Effects on Protected Natural Resources

PUBLIC 554

Sponsor(s)

Committee Report
OTP

Amendments Adopted

LD 1837 proposed to require Tier 2 freshwater wetland projects to meet all of the standards under the Maine Revised Statutes, Title 38, chapter 3, Article 5-A according to the recommendations of the Department of Environmental Protection submitted pursuant to Resolve 2003, chapter 14.

Enacted Law Summary

Public Law 2003, chapter 554 requires Tier 2 freshwater wetland projects to meet all of the standards under the Maine Revised Statutes, Title 38, chapter 3, Article 5-A according to the recommendations of the Department of Environmental Protection submitted pursuant to Resolve 2003, chapter 14.

LD 1845

An Act To Amend the Bacteria Standard and Dissolved Oxygen Standard for Certain Waters

ONTP

Sponsor(s)

Committee Report
ONTP

Amendments Adopted

LD 1845, which was based on the recommendations of the Department of Environmental Protection pursuant to Resolve 2003, chapter 39, proposed to amend the bacteria standard for Class B and Class C waters. It also proposed to amend the dissolved oxygen standard for Class SB and Class SC waters.