

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
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Natural Resources*

May 2004

Staff:

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

*Rep. Theodore Koffman, Chair
Rep. Joanne T. Twomey
Rep. Deborah J. Hutton
Rep. Elaine Makas
Rep. Thomas B. Saviello
Rep. Judd D. Thompson
Rep. Robert A. Daigle
Rep. David L. Tobin
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 1863

An Act To Provide Additional Financing for Costs Associated with the Remediation of a Waste Oil Handling Facility Site in Plymouth

**PUBLIC 596
EMERGENCY**

<u>Sponsor(s)</u> MARTIN CARR	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-449
-------------------------------------	-----------------------------------	------------------------------------

LD 1863 proposed to specify that money in the Waste Oil Clean-up Fund may be used for the costs of remedial design and technical impracticability study in connection with the Plymouth waste oil site.

Committee Amendment "A" (S-449) proposed to add an emergency clause and an emergency preamble to the bill. The amendment also proposed to avoid a conflict with newly enacted Public Law 2003, chapter 537 by striking the section concerning remedial design and technical impracticability study and reformatting that provision as a unique subsection in the statutes.

Enacted Law Summary

Public Law 2003, chapter 596 specifies that money in the Waste Oil Clean-up Fund may be used for the costs of remedial design and a technical impracticability study in connection with the Plymouth waste oil site.

Public Law 2003, chapter 596 was enacted as an emergency measure effective April 6, 2004.

LD 1866

An Act Relating to Storm Water Management

PUBLIC 607

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-441
-------------------	-----------------------------------	------------------------------------

LD 1866 proposed to amend the laws relating to storm water management as recommended by the Department of Environmental Protection pursuant to Public Law 2003, chapter 318. It proposed to require that all projects subject to the storm water laws meet basic water quality protection standards. It proposed to set the permit threshold at one acre of disturbance. It proposed to regulate existing sources in the watershed of impaired waters where they are identified as significant contributors to the cause of impairment.

Committee Amendment "A" (S-441) proposed to replace the bill. It proposed to exempt certain manure storage facilities from storm water management review. It also proposed to direct the Board of Environmental Protection to provisionally adopt rules to regulate storm water management by January 2, 2005 and it proposed to direct the Department of Environmental Protection to submit a bill to the First Regular Session of the 122nd Legislature to resolve inconsistencies between those rules and the Maine Revised Statutes, Title 38, section 420-D.