

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Natural Resources*

August 2005

Members:

*Sen. Scott W. Cowger, Chair
Sen. John L. Martin
Sen. Lois A. Snowe-Mello*

*Rep. Theodore S. Koffman, Chair
Rep. Joanne T. Twomey
Rep. Thomas B. Saviello
Rep. Judd D. Thompson
Rep. Robert S. Duchesne
Rep. Jane E. Eberle
Rep. Robert A. Daigle
Rep. Henry L. Joy
Rep. James D. Annis
Rep. Kimberley C. Rosen*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Natural Resources

LD 1578

An Act To Ensure Certain Protections to Communities Hosting Waste-to-energy Facilities

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS TWOMEY		

LD 1578 proposes to provide that a community that hosts a waste-to-energy facility may adopt its own reasonable rules on the transportation of solid waste, municipal solid waste, special waste and refuse-derived fuel through that community. It also proposes to provide that an agreement between an incineration facility and a community must include certain provisions to protect that community. LD 1578 was carried over by H. P. 1203 to any special or regular session of the 122nd Legislature.

LD 1588

An Act To Amend Certain Laws Administered by the Department of Environmental Protection

PUBLIC 330

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN COWGER	OTP-AM MAJ ONTP MIN	H-564

LD 1588 proposed to make the following changes to laws administered by the Department of Environmental Protection. It proposed to:

1. Repeal sections providing for issuance of permits by the Board of Environmental Protection for activities affecting coastal wetlands;
2. Redirect appeals of decisions by the Board of Underground Oil Storage Tank Installers from District Court to Superior Court;
3. Clarify that a producer of biofuels must offer the biofuels for sale and must receive income derived from the sale of the biofuels in order to qualify for an income tax credit;
4. Amend the requirement that the department always hold a presubmission meeting if a preapplication meeting is held. The bill proposed to provide that the department may choose not to hold a presubmission meeting if the department determines that the presubmission meeting is unnecessary based upon factors such as the complexity and status of the application;
5. Make the administrative appeals deadline consistent for all Department of Environmental Protection enforcement actions;
6. Change a date in the definition of "Code of Federal Regulations" to include regulations effective on or before January 1, 2005;
7. Change a date in the definition of "Federal Water Pollution Control Act" to include amendments effective on or before January 1, 2005;