

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Natural Resources*

July 2006

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Sen. John L. Martin
Sen. Lois A. Snowe-Mello*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second 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 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 (Pocket Veto).....	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 August 23, 2006.

Joint Standing Committee on Natural Resources

4. By January 1, 2011, underground piping installed at an aboveground motor fuel storage facility before June 24, 1991 must meet the same requirements that apply to piping installed after that date.

Chapter 491 also delays until 2009 the effective date of the law's requirements for tanks and piping at facilities that are used to store diesel fuel. It also gives the Commissioner of Environmental Protection the authority to approve the use of leak detection methods for underground piping at aboveground oil storage facilities even though the approved method may differ from that required under the board rules for underground oil storage facilities.

LD 1774

An Act To Improve the Water Quality and Safety of Phillips Lake

**P & S 44
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN R	OTP-AM MAJ	S-484
HALL	OTP-AM MIN	

LD 1774 proposed to remove the height restriction for the dam at the outlet of Phillips Lake.

Committee Amendment "A" (S-484), the majority report, proposed to provide that a water level regime for Phillips Lake can be established by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 38, chapter 5, subchapter 1, article 3-A, subarticle 4.

Committee Amendment "B" (S-485), the minority report, proposed to repeal the requirement that the dam at the outlet at the north end of Phillips Lake in the Town of Dedham be constructed, operated and maintained at no higher than 227 feet above sea level and at a width that is no less than the current width of the dam. Committee Amendment "B" was not adopted.

Enacted law summary

Private and Special Law 2005, chapter 44 provides that a water level regime for Phillips Lake in the Town of Dedham can be established by the Department of Environmental Protection pursuant to the Maine Revised Statutes, Title 38, chapter 5, subchapter 1, article 3-A, subarticle 4.

Private and Special Law 2005, chapter 44 was enacted as an emergency measure effective March 30, 2006.

LD 1777

Resolve, To Establish a Blue Ribbon Commission on Solid Waste Management

**RESOLVE 207
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER	OTP-AM	S-545
KOFFMAN		S-623 GAGNON

LD 1777 proposed to direct the Department of Environmental Protection to meet with all interested stakeholders and the Executive Department, State Planning Office and provide a report to the joint standing committee of the

Joint Standing Committee on Natural Resources

Legislature have jurisdiction over natural resources matters by January 17, 2007, which may report out legislation to consolidate the management of solid waste in this State under the Department of Environmental Protection.

Committee Amendment "A" (S-545) proposed to replace the resolve. The amendment proposed to establish the Blue Ribbon Commission on Solid Waste Management to undertake a comprehensive study of solid waste management in this State.

Senate Amendment "A" to Committee Amendment "A" (S-623) proposed to change the funding mechanism for the Blue Ribbon Commission.

Enacted law summary

Resolve 2005, chapter 207 establishes the Blue Ribbon Commission on Solid Waste Management to undertake a comprehensive study of solid waste management in this State.

Resolve 2005, chapter 207 was enacted as an emergency measure effective May 4, 2006.

LD 1792 An Act To Protect Maine Families and the Environment by PUBLIC 558 **Improving the Collection and Recycling of Mercury Thermostats**

Sponsor(s)
MARTIN
KOFFMAN

Committee Report
OTP-AM

Amendments Adopted
S-533

LD 1792 proposed to require that beginning January 1, 2007 manufacturers of thermostats containing mercury that are sold in this State pay a minimum of \$5 for each thermostat containing mercury brought to a state-approved collection site. It also proposed to require that manufacturers of thermostats containing mercury that are sold in this State report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the fees imposed and to the Department of Environmental Protection on the results of the thermostat collection and recycling efforts.

Committee Amendment "A" (S-533) proposed to replace the bill. The amendment proposed to require manufacturers of mercury-added thermostats to individually or collectively provide for the collection and recycling of out-of-service mercury-added thermostats. It proposed to require the Department of Environmental Protection to develop a manufacturer financial incentive plan and it proposed to ban the sale of all thermostats of a manufacturer that is not in compliance with the law. It also proposed to set goals for the collection and recycling of mercury-added thermostats and to require the department to annually report to the joint standing committee of the Legislature having jurisdiction over natural resources.

Enacted law summary

Public Law 2005, chapter 558 requires manufacturers of mercury-added thermostats to individually or collectively provide for the collection and recycling of out-of-service mercury-added thermostats. It requires the Department of Environmental Protection to develop a manufacturer financial incentive plan. It bans the sale of all thermostats of a manufacturer that is not in compliance with the law. It sets goals for the collection and recycling of mercury-added thermostats. It requires the department to annually report to the joint standing committee of the