

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON NATURAL RESOURCES**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

## *Joint Standing Committee on Natural Resources*

**LD 52**      **An Act To Review the Department of Environmental Protection's Procedures in Issuing Written Approval for New Building Projects**      **ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to establish a review of the Department of Environmental Protection's process for issuing written approval of new construction projects, including the length of time between the request for approval and the issuance of that approval by the department.

**LD 78**      **An Act To Protect Neighborhoods from Scrap Metal Pollution**      **ONTP**

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

This bill prohibits junkyards and automobile graveyards from placing material within 1,000 feet of inland and tidal waters or within 700 feet of a residence.

**LD 107**      **Resolve, To Address State Leadership in Climate Engineering**      **ONTP**

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

This resolve is a concept draft pursuant to Joint Rule 208. The resolve proposes to create a group to initiate the process in addressing state leadership in climate engineering.

**LD 108**      **An Act To Exempt Certain Vehicles from the California Low-emission Vehicle Standards**      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS SMITH D	ONTP	

This bill exempts vehicles with a manufacturer's estimated highway mileage rating of at least 40 miles per gallon from the California low-emission vehicle standards.

**LD 109**      **An Act To Require a Model Radon Standard for New Residential Construction**      **PUBLIC 90**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KOFFMAN MARTIN	OTP-AM	H-78

## *Joint Standing Committee on Natural Resources*

This bill requires that if a municipality intends to adopt a radon code or standard for new residential construction, that municipality must adopt a radon code or standard recommended by the American Society for Testing and Materials.

### **Committee Amendment "A" (H-78)**

This amendment replaces the bill. The amendment requires that if a municipality adopts a radon standard or code for new residential construction it must adopt the American Society for Testing and Materials standard E-1465-06. The amendment allows municipalities that have already adopted radon standards or codes for new residential construction to keep those standards and codes.

### **Enacted Law Summary**

Public Law 2007, chapter 90 requires that if a municipality adopts a radon standard or code for new residential construction it must adopt the American Society for Testing and Materials standard E-1465-06. Chapter 90 allows municipalities that have already adopted radon standards or codes for new residential construction to keep those standards and codes.

**LD 128      *Resolve, Directing the Board of Environmental Protection To Adopt Rules To Improve the Emissions and Efficiency of Outdoor Wood Boilers*      **ONTP****

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

This resolve directs the Board of Environmental Protection to adopt rules regulating the sale, installation and use of outdoor wood boilers.

**LD 258      *An Act To Amend the Laws Governing Setbacks under the Natural Resource Protection Laws*      **ONTP****

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

This bill provides that criteria adopted by the Department of Environmental Protection to regulate significant vernal pools, waterfowl and wading bird habitat and shorebird nesting, feeding and staging areas may not regulate an area exceeding 100 feet from the edge of the protected feature. The intent of the bill is to reduce the area regulated from 250 feet to 100 feet.

**LD 301      *An Act Relating to Alternate Directors for Public Waste Disposal Corporations*      **PUBLIC 91****

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AUSTIN	OTP-AM	H-64

This bill allows the municipal officers of a municipality participating in a public waste disposal corporation to appoint one or more alternate directors, or to delegate to a municipal official the authority for the appointment, to serve in the absence of the director elected by the municipal officers.