

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON NATURAL RESOURCES

July 2007

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STATE OF MAINE

123RD 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 123rd 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

the Joint Standing Committee on Natural Resources, which is authorized to submit legislation to the Second Regular Session of the 123rd Legislature.

LD 1311 An Act To Fight Global Warming Effects in the State

ONTP

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

This bill does the following to fight global warming effects in the State:

1. It requires the Department of Environmental Protection to report biennially on emissions and emissions reduction in the State and it directs the department to apply for a federal waiver to enact its draft rules concerning new motor vehicle emission standards.
2. It requires code enforcement officers to attend any training sessions about energy efficiency that are created by the United States Department of Energy, Office of Energy Efficiency and Renewable Energy.
3. It requires the Public Utilities Commission to adopt rules establishing minimum efficiency standards for sale and installation of appliances not covered under federal standards.
4. It requires the Department of Transportation and the Department of Environmental Protection to examine and evaluate the carbon dioxide and greenhouse gas emissions in the State for incorporation into decision-making alternatives.

LD 1313 An Act To Amend the Solid Waste Management Laws

PUBLIC 192

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN	OTP-AM	S-96

This bill modifies Maine's solid waste management laws as follows.

1. It adds a state policy to encourage waste reduction measures and maximize waste diversion by encouraging new and expanded uses of solid waste as a resource.
2. It establishes the Solid Waste Management Advisory Council to meet annually, replacing a task force that meets every 5 years.
3. It changes the Executive Department, State Planning Office's solid waste capacity and recycling report from a biannual to an annual report.
4. It changes the disposal capacity threshold by which the State Planning Office is required to submit a recommendation on the construction and operation of a state-owned solid waste disposal facility to the Legislature from 4 years to 6 years.

Committee Amendment "A" (S-96)

This amendment clarifies that waste reduction measures from all sources should be promoted. It clarifies that the Solid Waste Management Advisory Council created by the bill is established to advise and assist the Executive

Joint Standing Committee on Natural Resources

Department, State Planning Office as may be appropriate. It makes the Director of the State Planning Office and the Commissioner of Environmental Protection, or their designees, nonvoting members of the advisory council.

Enacted Law Summary

Public Law 2007, chapter 192 modifies Maine's solid waste management laws as follows.

1. It adds a state policy to encourage waste reduction measures and maximize waste diversion by encouraging new and expanded uses of solid waste as a resource.
2. It establishes the Solid Waste Management Advisory Council to advise and assist the State Planning Office as may be appropriate, replacing a task force that meets every 5 years.
3. It changes the Executive Department, State Planning Office's solid waste capacity and recycling report from a biannual to an annual report.
4. It changes the disposal capacity threshold by which the State Planning Office is required to submit a recommendation on the construction and operation of a state-owned solid waste disposal facility to the Legislature from 4 years to 6 years.

LD 1319 An Act Relating to Previously Approved Small Coastal Subdivisions

ONTP

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

This bill allows, without a natural resources protection permit and subject to specified setback requirements, construction of a single-family dwelling and accessory structures on a lot in a subdivision adjacent to a waterfowl, wading bird or shorebird feeding area as long as the subdivision has fewer than 10 lots and was approved prior to June 8, 2006.

LD 1353 Resolve, To Provide a Comprehensive Assessment of Progress Made To Eliminate Combined Sewer Overflow into the State's Waterways

ONTP

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

This bill directs the Governor to appoint an independent expert panel to draft a report assessing the status of efforts to eliminate combined sewer overflow in the State.

LD 1359 An Act To Ensure the Availability of Existing Drinking Water Sources of Supply

ONTP

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

This bill directs the Board of Environmental Protection to incorporate into its water use standards a mechanism to reconcile the objectives of protecting aquatic life and of allowing existing water supplies to provide water service.