

# 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  
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

**MEMBERS:**

SEN. JOHN L. MARTIN, CHAIR  
SEN. PHILIP L. BARTLETT, II  
SEN. DOUGLAS M. SMITH

REP. THEODORE S. KOFFMAN, CHAIR  
REP. ROBERT S. DUCHESNE  
REP. JANE E. EBERLE  
REP. CHRISTOPHER W. BABBIDGE  
REP. DAVID MIRAMANT  
REP. RICHARD V. WAGNER  
REP. JAMES M. HAMPER  
REP. JAMES D. ANNIS  
REP. JOHN F. McDONOUGH  
REP. BERNARD L. A. AYOTTE

**STAFF:**

SUSAN Z. JOHANNESMAN, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# 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***

pool habitat or a high or moderate value waterfowl and wading bird habitat is identified by the Department of Inland Fisheries and Wildlife after the effective date of chapter 290;

12. Amends Resolve 2005, chapter 183, which approved amendments to chapter 335, Significant Wildlife Habitat, a major substantive rule of the Department of Environmental Protection, to clarify that an activity in, on, over or adjacent to a significant vernal pool habitat or potential significant vernal pool habitat is eligible for permit by rule if certain habitat standards are met by adding a citation to the regulatory standards;

13. Provides that changes to the Maine Revised Statutes, Title 38, sections 480-CC and 480-DD and changes to Resolve 2005, chapter 183 are applicable as of June 8, 2006. It also provides that changes to the Department of Environmental Protection's rules on significant wildlife habitat that are adopted pursuant to this legislation as well as additional corrections, clarifications and minor changes of the significant wildlife habitat rules are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A. It also provides that the Department of Environmental Protection's rules concerning permit by rule must be amended to allow certain specified activities to be authorized under permit by rules if applicable standards are met. The Department of Environmental Protection's rules on permit by rule and amendments to those rules are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A;

14. Requires the Department of Environmental Protection to amend its rules to clarify that significant wildlife habitat that is not fully contained within a freshwater wetland is not subject to the department's adjacency jurisdiction under the Maine Revised Statutes, Title 38, section 480-C; and

15. Requires the Department of Environmental Protection to develop a proposal for mitigation and compensation standards for tidal and freshwater significant wildlife habitat.

Public Law 2007, chapter 290 was enacted as an emergency measure effective June 14, 2007.

**LD 1488**

**An Act To Reduce Contamination in the Home from the Release of Brominated Flame Retardants**

**ONTP**

Sponsor(s)

Committee Report

Amendments Adopted

ONTP

This bill further restricts the sale of products containing a class of chemical flame retardants known as polybrominated diphenyl ethers. The bill exempts products made from recycled material and certain replacement parts from the restrictions. The bill changes the reporting requirement on brominated flame retardants from annually to every 2 years. The bill authorizes the Department of Environmental Protection to require a manufacturer to provide a certificate of compliance if there are grounds to suspect that a product is being offered for sale in violation of the law.

**LD 1500**

**An Act To Allow the Department of Environmental Protection To Charge Interest for Late Payment of Fees**

**PUBLIC 187**

Sponsor(s)

Committee Report

Amendments Adopted

MARTIN

OTP

The bill requires the Department of Environmental Protection to charge interest at a rate of 15% per annum and authorizes the department to pursue enforcement, including suspension or revocation of a license, for the failure of a licensee to pay licensing fees by the due date.

**Enacted Law Summary**