

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during
the First Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON NATURAL RESOURCES

July 2009

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STATE OF MAINE

124TH 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 124th Maine Legislature.

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:

| | |
|---|---|
| CARRIED OVER..... | Carried over to a subsequent session of the Legislature |
| 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; bill died |
| ONTP (or Accepted ONTP report)..... | Ought Not To Pass report accepted; bill died |
| 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 |

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. 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 663 An Act To Clarify A Municipality's Authority To Pass Ordinances That Govern the Extraction of Groundwater ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SCHATZ BOWMAN | ONTP | |

This bill authorizes municipalities to adopt ordinances regulating groundwater extraction and makes it clear that the laws regarding the transport of water and the establishment of significant groundwater wells do not limit the authority of a municipality to adopt a groundwater extraction ordinance that is more stringent than state law.

LD 686 An Act To Require Semiannual Testing in Certain Gravel Pits ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BOWMAN | ONTP | |

This bill requires the Department of Environmental Protection to biannually perform tests at each gravel pit to determine the presence of toxic substances in the soil, air and waters surrounding the site. It also requires the department to publish the results of the tests on the department's publicly accessible website and to submit the results to the municipality in which the site is located.

LD 722 Resolve, Directing a Review of the Management of Risks Associated with Surface Uses on Public Water Supplies RESOLVE 32

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| PIEH | OTP-AM | H-99 |

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to manage risks associated with surface uses on public water supplies.

Committee Amendment "A" (H-99)

This amendment replaces the bill with a resolve. It directs the drinking water program of the Department of Health and Human Services to review and make recommendations on the management of risks associated with surface uses on lakes and ponds that are public water supplies. It authorizes the Joint Standing Committee on Natural Resources to submit legislation concerning the recommendations to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2009, chapter 32 directs the drinking water program of the Department of Health and Human Services to review and make recommendations on the management of risks associated with surface uses on lakes and ponds that are public water supplies. It authorizes the Joint Standing Committee on Natural Resources to submit legislation concerning the recommendations to the Second Regular Session of the 124th Legislature.