

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON NATURAL RESOURCES**

July 2009

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 124<sup>th</sup> 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 124<sup>th</sup> 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 723**

**Resolve, To Require the Department of Environmental Protection To Amend Its Rules for Hydropower Projects To Require a Detailed Cost-benefit Analysis**

**ACCEPTED ONTP  
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON	ONTP MAJ OTP-AM MIN	

This resolve requires the Department of Environmental Protection to amend its rules for hydropower projects to require a detailed cost-benefit analysis.

**Committee Amendment "A" (S-51)**

Since the Department of Environmental Protection and the Maine Land Use Regulation Commission jointly adopted the administrative regulations for hydropower projects, the amendment requires both the Maine Land Use Regulation Commission and the Department of Environmental Protection to amend their rules. This amendment was not adopted.

**LD 746**

**An Act To Lower the Cost of State Government in the Departments under the Purview of the Joint Standing Committee on Natural Resources**

**ONTP**

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

This bill eliminates the Department of Environmental Protection, Office of Innovation and Assistance and transfers the duties of that office to the Department of Economic and Community Development, Office of Innovation. This bill also eliminates funding for a total of seven positions within the Department of Environmental Protection, five of which are associated with the Office of Innovation and Assistance and two whose duties include serving as legislative liaisons for the department.

**LD 759**

**An Act To Require State-owned Solid Waste Disposal Facilities To Demonstrate a Public Benefit**

**PUBLIC 348**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE SCHNEIDER	OTP MAJ ONTP MIN	

Under current law, a state-owned landfill that was in operation prior to June 1, 2007 or an expansion of that facility is exempt from demonstrating a significant public benefit. The bill removes that exemption.

**Enacted Law Summary**

Public Law 2009, chapter 348 amends the law that exempts a state-owned landfill that was in operation prior to June 1, 2007 or an expansion of that facility from demonstrating a significant public benefit. Chapter 348 removes that