

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 860 An Act Relating to Geothermal Heat Exchange Wells

PUBLIC 153

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE GOODALL	OTP-AM	H-177

This bill provides the Maine Water Well Commission, which currently oversees well drillers, well drilling companies, pump installers and pump installation companies, with the oversight of geothermal heat exchange wells and geothermal heat exchange well drillers.

Committee Amendment "A" (H-177)

This amendment adds geothermal heat exchange well pump installers to the provisions of the bill. It directs the Maine Water Well Commission to adopt rules establishing a licensing structure for geothermal heat exchange well drillers and geothermal heat exchange well pump installers. It makes the initial rules major substantive; subsequent rules are routine technical. It directs the Maine Water Well Commission to submit provisionally adopted rules to the Legislature by January 1, 2010 and to submit draft legislation to amend the provisions of the Act if any necessary amendments are identified during the rule-making process. It authorizes the Joint Standing Committee on Natural Resources to submit legislation to the Second Regular Session of the 124th Legislature. It delays the application of the provisions relating to geothermal heat exchange well construction, geothermal heat exchange well pump installation and licensing requirements for geothermal heat exchange well drillers and geothermal heat exchange well pump installers until after the Maine Water Well Commission finally adopts rules.

Enacted Law Summary

Public Law, chapter 153 provides the Maine Water Well Commission, which currently oversees well drillers, well drilling companies, pump installers and pump installation companies, with the oversight of geothermal heat exchange wells, geothermal heat exchange well drillers and geothermal heat exchange well pump installers. It directs the Maine Water Well Commission to adopt rules establishing a licensing structure for geothermal heat exchange well drillers and geothermal heat exchange well pump installers. It makes the initial rules major substantive; subsequent rules are routine technical. It directs the Maine Water Well Commission to submit provisionally adopted rules to the Legislature by January 1, 2010 and to submit draft legislation to amend the provisions of the Act if any necessary amendments are identified during the rule-making process. It authorizes the Joint Standing Committee on Natural Resources to submit legislation to the Second Regular Session of the 124th Legislature. It delays the application of the provisions relating to geothermal heat exchange well construction, geothermal heat exchange well pump installation and licensing requirements for geothermal heat exchange well drillers and geothermal heat exchange well pump installers until after the Maine Water Well Commission finally adopts rules.

LD 861 An Act Concerning Deductibles for Underground Oil Storage Facilities and Tanks

**ACCEPTED ONTP
REPORT**

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

Joint Standing Committee on Natural Resources

This bill exempts from the conditional deductible requirement all nonconforming underground facilities and tanks that were removed prior to the enactment of the conditional deductible requirement.

Committee Amendment "A" (H-117)

This amendment incorporates a fiscal note. This amendment was not adopted.

LD 871 An Act To Facilitate Compliance with Solid Waste Management Rules

ONTP

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

This bill amends the laws governing solid waste management.

1. It changes from major substantive to routine technical the designation of rules adopted by the Department of Environmental Protection regarding solid waste processing facilities that generate residue requiring disposal.
2. It directs the Department of Environmental Protection to submit, by January 11, 2010, a report to the Joint Standing Committee on Natural Resources regarding rules implementing the Maine Revised Statutes, Title 38, section 1310-N, subsection 5, paragraph B. It also directs the department to investigate recycling technologies and practices as they relate to certain materials.
3. It prohibits issuance of a license for new or expanded solid waste disposal facilities that accept residue from construction and demolition debris recycling until rules are in effect implementing the department's report regarding mandatory recycling standards for all solid waste disposal facilities.
4. It prohibits issuance of a license for new or expanded solid waste disposal facilities until rules are in effect implementing the department's report regarding solid waste odor management.

LD 876 Resolve, To Create a Surrounding Community Advisory Panel for the Juniper Ridge Landfill in Old Town

ONTP

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

This resolve establishes a surrounding community advisory panel for the purpose of making recommendations to the Juniper Ridge Landfill joint citizen advisory committee. The member communities of the panel include the towns of Greenbush, Milford, Bradley, Orono, Glenburn and Hudson and Argyle Township.