

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

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 1269

An Act To Clarify the Laws Regarding Significant Groundwater Wells

PUBLIC 295

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL SIMPSON	OTP-AM	H-340

This bill clarifies that the definition of "significant groundwater well" in the Natural Resources Protection Act includes public water systems or portions of public water systems that bottle water for sale or provide water to be bottled for sale as determined by the Department of Environmental Protection. The bill also adds dewatering of a mining operation to the definition of "significant groundwater well." The bill also clarifies three unallocated law provisions that address transition language and rule-making requirements concerning public information meetings and fees and a fee schedule intended to support independent assessment of monitoring information.

Committee Amendment "A" (H-340)

This amendment replaces the bill. The amendment amends the definition of "significant groundwater well" by:

1. Excluding withdrawals of water for preoperational capacity testing from the determination of whether or not the significant groundwater thresholds have been met; and
2. Clarifying when a public water system qualifies as a significant groundwater well.

The amendment also clarifies the changes to three unallocated law provisions that address transition language and rule-making requirements concerning public information meetings and fees intended to support independent assessment of monitoring information.

Enacted Law Summary

Public Law 2009, chapter 295 amends the definition of "significant groundwater well" in the Natural Resources Protection Act. It also clarifies three unallocated law provisions that address transition language and rule-making requirements concerning public information meetings and fees intended to support independent assessment of monitoring information.

LD 1282

An Act To Protect and Enhance Maine Marine Fisheries

ONTP

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

This bill:

1. Specifies that the Department of Environmental Protection may issue water quality certification for a dam used to generate hydroelectric power only if the dam provides safe and effective passage for all diadromous fish indigenous to the body of water on which the dam is located;
2. Provides that, for every day a safe and effective passage is not in effect, the owner of the dam may be fined not