

# 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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

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*

period for the host community. The amendment removes the provision in the bill that required the proposed new owner to apply for a new license and it removes the provision in the bill that required the written consent of the host community. The amendment gives jurisdiction over transfer applications that are subject to the new requirements to the Board of Environmental Protection and requires the board to hold a public hearing on the transfer application. The amendment clarifies that for purposes of this law "host community" means the town in which the facility is geographically sited and it adds sale of stock as a method of ownership change that is subject to the requirements of the bill. The amendment exempts regional associations and a transfer to the facility's host community from the bill's requirements. The amendment also removes the emergency preamble and clause.

### **Enacted Law Summary**

Public Law 2009, chapter 380 authorizes the Department of Environmental Protection to approve the transfer of a solid waste facility license during the stated term of a waste handling contract between a solid waste facility that incinerates municipal solid waste or special waste and its host community only after the expiration of a due diligence review period for the host community in which the facility is geographically sited. Chapter 380 gives jurisdiction over transfer applications that are subject to the new requirements to the Board of Environmental Protection and requires the board to hold a public hearing on the transfer application. Regional associations and a transfer to the facility's host community are exempt from the requirements of chapter 380.

### **LD 1479 An Act Relating to Biomass Gasification**

**PUBLIC 306**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL	OTP	

This bill amends the definition of "coal gasification facility" to make the moratorium on the licensing and permitting of those facilities specific to the gasification of coal or coal-derived materials.

### **Enacted Law Summary**

Public Law 2009, chapter 306 amends the definition of "coal gasification facility" to make the moratorium on the licensing and permitting of those facilities specific to the gasification of coal or coal-derived materials.

### **LD 1482 An Act to Amend Mercury Standards for Air Emission Sources**

**PUBLIC 338**

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

This bill is submitted by the Joint Standing Committee on Natural Resources pursuant to the Maine Revised Statutes, Title 38, section 585-B, subsection 6. The bill provides an alternative method for an air emission source to comply with mercury standards. It also directs the Department of Environmental Protection to submit an updated report relating to mercury emissions and standards and authorizes the committee to report out legislation to the 124th Legislature in connection with the updated report.

### **Enacted Law Summary**

Public Law 2009, chapter 338 provides an alternative method for an air emission source to comply with mercury standards. It also directs the Department of Environmental Protection to submit an updated report relating to