

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON NATURAL RESOURCES

April 2010

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second 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:

| | |
|-------------------------------------------------------|--------------------------------------------------------------------------------|
| <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 HOUSES</i> | <i>House & 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&S XXX</i> | <i>Chapter # of enacted Private & 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 Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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

allow ocean-going vessels to obtain a permit from the Department of Environmental Protection to discharge ballast water that contains minimal amounts of living organisms, bacteria, viruses and microbes into the coastal waters of the State. Those interim standards are incrementally applied to larger and older ocean-going vessels over that 10-year period. A person who violates these provisions commits a civil violation and is subject to a penalty of not less than \$1,000 and not more than \$10,000 for each violation. The Board of Environmental Protection is required to adopt emergency major substantive rules in 2010 to implement these provisions, and to subsequently submit those rules to the Legislature for review no later than January 14, 2011. The rules must require an annual ballast water discharge permit for ocean-going vessels. The annual fee for that permit must be based on the ballast water capacity of vessels covered by these provisions and must be, in the aggregate, sufficient to fully fund the cost of implementing and enforcing these provisions.

Committee Amendment "A" (H-652)

This amendment replaces the bill with a resolve. The amendment directs the Department of Environmental Protection to report by January 5, 2012 on the status of rulemaking by the United States Coast Guard relating to ship ballast water discharge. The amendment also authorizes the joint standing committee of the Legislature having jurisdiction over natural resources matters to submit a bill to the Second Regular Session of the 125th Legislature.

Senate Amendment "A" To Committee Amendment "A" (S-436)

This amendment removes authority for the joint standing committee of the Legislature having jurisdiction over natural resources matters to submit a bill to the 125th Legislature.

Enacted Law Summary

Resolve 2009, chapter 198 directs the Department of Environmental Protection to report by January 5, 2012 on the status of rulemaking by the United States Coast Guard relating to ship ballast water discharge.

LD 1699 An Act To Update and Modernize Maine's Floodplain Mapping

**PUBLIC 522
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LEGG NASS R | OTP-AM | H-655 |

This bill provides a General Fund appropriation to the Executive Department, State Planning Office of \$250,000 in fiscal year 2010-11 to update and modernize the State's floodplain maps.

Committee Amendment "A" (H-655)

This amendment replaces the bill. The amendment establishes the Floodplain Mapping Fund for the purpose of providing funds for the mapping of floodplains in the State. The amendment adds an appropriations and allocations section and it also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2009, chapter 522 establishes the Floodplain Mapping Fund for the purpose of providing funds for the mapping of floodplains in the State.

Public Law 2009, chapter 522 was enacted as an emergency measure effective March 18, 2010.