

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. SETH A. GOODALL, CHAIR
SEN. DEBORAH L. SIMPSON
SEN. DOUGLAS M. SMITH

REP. ROBERT S. DUCHESNE, CHAIR
REP. JOHN L. MARTIN
REP. JANE E. EBERLE
REP. BRIAN D. BOLDUC
REP. MELISSA WALSH INNES
REP. JOAN W. WELSH
REP. JAMES MICHAEL HAMPER
REP. BERNARD L.A. AYOTTE
REP. PETER E. EDGECOMB
REP. JANE S. KNAPP

STAFF:

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
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

LD 1716

An Act To Expedite Rulemaking Concerning Agronomic Utilization of Sludge

PUBLIC 507

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

This bill amends the rule-making authority of the Board of Environmental Protection to eliminate the requirement for legislative approval prior to adoption of rules on the agronomic utilization of sludge.

Enacted Law Summary

Public Law 2009, chapter 507 amends the rule-making authority of the Board of Environmental Protection to eliminate the requirement for legislative approval prior to adoption of rules on the agronomic utilization of sludge.

LD 1725

Resolve, Regarding Legislative Review of Portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards, a Major Substantive Rule of the Department of Environmental Protection

RESOLVE 208

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-678
	OTP-AM MIN	S-493 GOODALL
		S-506 GOODALL

This resolve provides for legislative review of portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards, a major substantive rule of the Department of Environmental Protection.

Committee Amendment "A" (H-677)

This amendment was not adopted. This amendment is the majority report of the committee. The amendment authorizes portions of Section 10: Stream Crossings within Chapter 305 Permit by Rule Standards but delays the effective date of the rule to January 1, 2012. The amendment also directs the Department of Environmental Protection with the Department of Transportation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to conduct a series of meetings with municipal public works officials to provide training, information and opportunities to evaluate crossings subject to the requirements of the rule. The amendment directs the Department of Environmental Protection and the Department of Transportation to report to the joint standing committee of the Legislature having jurisdiction over natural resources matters on the outreach and field work activities undertaken by the departments and on the impact of the rule not later than January 5, 2011. It also authorizes the committee to submit a bill to the First Regular Session of the 125th Legislature regarding suggested revisions to the rule.

Committee Amendment "B" (H-678)

This amendment is the minority report of the committee. The amendment denies authorization for the Department of Environmental Protection to finally adopt a provisionally adopted rule regarding stream crossings and directs the department to resubmit rules to the Legislature by January 1, 2011.